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TREATY SERIES, 1936 ¹⁹³⁷
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OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
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TREATY SERIES, 1936

CLASSIFIED INDEX

GENERAL TREATIES TO WHICH CANADA IS A PARTY

No.	Nature of Instrument	Place and date of	
		Signature	Canadian Ratification (Deposit)
8	Agreement. British War Cemeteries etc. in Iraq. Canada, Australia, India, Iraq, New Zealand, United Kingdom, Union of South Africa.	Bagdad, March 15, 1935	Not required
16	International Agreement. Agreement for Dispensing with Consular Visas on Bills of Health. Canada, Australia, Denmark, Estonia, France, Great Britain, Greece, Latvia, Lithuania, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, Union of Soviet Socialist Republics, Yugoslavia.	Paris, December 22, 1934	Paris, Canadian accession deposited April 8, 1936
17	Procès-Verbal. Rules of Sub-Marine Warfare (part IV of the Treaty of London of April 22, 1930). Canada, Australia, France, India, Irish Free State, Italy, Japan, New Zealand, United Kingdom, Union of South Africa, United States of America.	London, November 6, 1936	Not required

TREATIES, ETC., WITH THE FOLLOWING COUNTRIES IN ALPHABETICAL ORDER

No.	Nature of Instrument	Place and date of	
		Signature	Ratification (Exchange)
4	Denmark and Iceland. Convention regarding legal proceedings in Civil and Commercial matters.	London, November 29 1932	London, May 12, 1933
	Extended to Canada as from February 1, 1936, by an Exchange of Notes.	Ottawa, October 9, 1935 Copenhagen, January 1/7, 1936	Not required
3	Estonia. Convention regarding legal proceedings in Civil and Commercial matters.	London, December 22, 1931	Tallinn, August 18, 1932
	Extended to Canada as from February 1, 1936, by an Exchange of Notes.	Ottawa, October 9, 1935 Tallinn, January 1/3, 1936	Not required
5	Finland. Convention regarding legal proceedings in Civil and Commercial matters.	London, August 11, 1933	London, January 23, 1934
	Extended to Canada as from February 1, 1936, by an Exchange of Notes.	Ottawa, October 9, 1935 Helsingfors, January 1/3, 1936	Not required
18	France. Convention. Rights of Nationals and Commercial and Shipping matters.	Ottawa, May 12, 1933	Ottawa, November 5, 1936
19	Germany. Agreement. Payments of goods.	Ottawa, October 22, 1936	Not required
7	Hayti. Exchange of Notes. Extension of Commercial "Modus Vivendi" of 1935	Port-au-Prince, April 6/13, 1936	Not required
1	Japan. Exchange of Notes. Customs treatment of imports.	Ottawa, December 26, 1935	Not required
6	Japan. Agreement. Money Order.	Tokyo, August 24, 1935 Ottawa, December 20, 1935	Not required
13	Lithuania. Convention regarding legal proceedings in Civil and Commercial matters.	Kovno, April 24, 1934	London, May 7, 1936
	Extended to Canada as from August 1, 1936 by an Exchange of Notes.	Ottawa, October 9, 1935 Kaunas, July 1/31, 1936	Not required
2	The Netherlands. Convention regarding legal proceedings in Civil and Commercial matters.	London, May 31, 1932	London, June 29, 1933
	Extended to Canada as from February 1, 1936, by an Exchange of Notes.	Ottawa, October 9, 1935 The Hague, November 1/29, 1935	Not required

TREATIES, ETC., WITH THE FOLLOWING COUNTRIES IN ALPHABETICAL ORDER

No.	Nature of Instrument	Place and date of	
		Signature	Ratification (Exchange)
11	New Zealand. Trade Agreement. Extension of Agreement in July 1936, until September 30, 1937, as amended in November 1935.	Ottawa and Wellington, April 23, 1932	Not required
15	Poland. Convention of Commerce.	Ottawa, July 3, 1935	Warsaw, July 31, 1936
12	Poland. Exchange of Notes. Extension to the Free City of Danzig as from July 11, 1936 of Convention relating to Tonnage Measurement of Merchant ships.	London, June 26, 1936	Not required
9	United States. Trade Agreement.	Washington, November 15, 1935	Ottawa, May 14, 1936
10	United States. Exchange of Notes. Extension for one year of the Agreement of September 15/16, 1932 as amended in 1935, concerning flights of military aircraft.	Ottawa, June 29, 1936	Not required
14	Uruguay. Exchange of Notes. Commercial arrangement to remain in effect until the coming into force of a Trade Agreement signed at Ottawa on August 12, 1936.	Ottawa, August 12, 1936	Not required

CANADA

TREATY SERIES, 1936
No. 1

EXCHANGE OF NOTES
(December 26, 1935)

BETWEEN

CANADA AND JAPAN

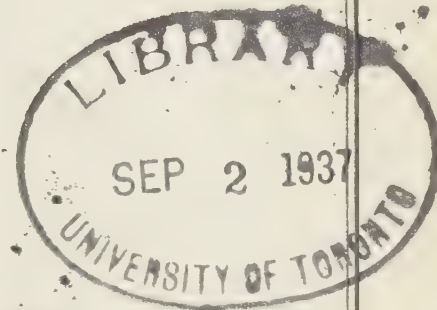
RESPECTING

THE CUSTOMS TREATMENT OF IMPORTS

IN FORCE JANUARY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937



EXCHANGE OF NOTES

(December 26, 1935)

BETWEEN

CANADA AND JAPAN

RESPECTING THE CUSTOMS TREATMENT
OF IMPORTS



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1936

EXCHANGE OF NOTES (DECEMBER 26, 1935) BETWEEN
CANADA AND JAPAN RESPECTING THE CUSTOMS
TREATMENT OF IMPORTS

*The Japanese Minister at Ottawa to the Secretary of State for External Affairs
of Canada.*

JAPANESE LEGATION

OTTAWA, December 26, 1935.

No. 46.

SIR,—I have the honour to inform you that the Japanese Government have decided to cancel, on January 1st, 1936, the surtax of 50 per cent ad valorem levied on certain goods the produce or manufacture of Canada under the provisions of the Imperial Ordinance No. 208, 1935, and the Proclamation No. 162 of the Department of Finance of Japan of July 20th, 1935.

I avail myself of this opportunity to renew to you, Sir, the assurances of my highest consideration.

S. KATO

Japanese Minister

*The Secretary of State for External Affairs of Canada to the Japanese Minister
at Ottawa.*

DEPARTMENT OF EXTERNAL AFFAIRS CANADA

OTTAWA, December 26th, 1935.

No. 22.

SIR,—I have the honour to inform you that the Canadian Government, in accordance with its general policy respecting trade and tariff matters, has decided to make the following modifications in its Customs regulations:—

1. The classification "goods of a class or kind made or produced in Canada," as it appears in the Customs Tariff, will be restricted to goods which are of a class or kind made or produced in Canada in quantities sufficient to supply at least ten per cent of the normal Canadian consumption. Adequate notice will be given of the transfer for Customs purposes of a product from the category "not of a class or kind made or produced in Canada" to the category "of a class or kind made or produced in Canada."

2. In computing the value for duty of goods of a class or kind not made or produced in Canada, the value of the yen will be the current exchange value in terms of the Canadian dollar at the time the goods were exported to Canada.

3. In computing the value for ordinary duty and for special duty under Section 6 of the Customs Tariff of goods of a class or kind made or produced in Canada the value of the yen during the twelve months beginning January 1st, 1936, will be at the rate of 39·5 cents; being the average exchange value of the yen, in terms of the Canadian dollar, for the five-year period 1930-34, based on the exchange rates published in the Statistical Year Book of the League of Nations. For the succeeding twelve-month period the yen will be taken at the average exchange value for the five-year period 1931-35, computed on the same basis, and similarly for each succeeding year. It is understood, of course, that if the yen should reach a value in Canadian currency higher than the value set forth or provided for above, such value would thereupon cease to apply and would be replaced by the current exchange value.

4. The values established under authority of Section 43 of the Customs Act will be cancelled on January 1st, 1936, on an extensive list of commodities.

5. Opportunity will be afforded for appeal to the Tariff Board of Canada respecting any value for duty which may in future be established under Section 43 of the Customs Act. In the event of such an appeal the value for duty in force will, upon the expiration of three months after the date of appeal, cease to have any force or effect unless the Tariff Board, following a public inquiry, finds that such value or some lower value is required to prevent the importation of the goods into Canada from prejudiciously or injuriously affecting the interests of Canadian producers or manufacturers. If a lower value is found by the Tariff Board to be appropriate such lower value will promptly be made effective.

The Canadian Government has decided to cancel on January 1st, 1936, the surtax of $33\frac{1}{3}$ per cent ad valorem levied on goods the produce or manufacture of Japan under the regulations made by Order-in-Council P.C. 2108 of July 22nd, 1935, as modified by Order-in-Council P.C. 2317 of August 3rd, 1935.

Accept, Sir, the renewed assurances of my highest consideration.

W. L. MACKENZIE KING
Secretary of State for External Affairs

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CANADA

TREATY SERIES, 1936
No. 2

NOTIFICATION EFFECTED BY AN
EXCHANGE OF NOTES
(October 9, November 1 and 29, 1935)

EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

HER MAJESTY THE QUEEN OF
THE NETHERLANDS

REGARDING

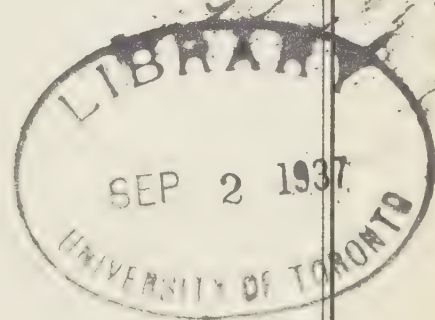
LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at London May 31, 1932
Ratifications exchanged at London June 29, 1933

IN FORCE FEBRUARY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937



Price, 25 cents

NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(October 9, November 1 and 29, 1935)

EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

HER MAJESTY THE QUEEN OF
THE NETHERLANDS

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at London May 31, 1932

Ratifications exchanged at London June 29, 1933

IN FORCE FEBRUARY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

**NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (OCTOBER 9,
NOVEMBER 1 AND 29, 1935) EXTENDING TO CANADA AS FROM
FEBRUARY 1, 1936, THE CONVENTION BETWEEN HIS MAJESTY
AND HER MAJESTY THE QUEEN OF THE NETHERLANDS
REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL
MATTERS SIGNED AT LONDON MAY 31, 1932**

*From the Secretary of State for External Affairs of Canada to the Secretary of
State for Dominion Affairs*

DEPARTMENT OF EXTERNAL AFFAIRS

No. 252 OTTAWA, October 9, 1935.

SIR,—I have the honour to refer to my despatch No. 126,* dated the 17th May, 1935, and to the Civil Procedure Conventions which have been concluded with Estonia, Denmark, Finland, Lithuania and the Netherlands, all of which have been signed and duly ratified.

I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the respective Governments. Such extension should, if it is possible, come into force from a fixed date and it is desirable that that date should be the first day of January, 1936. If, however, the adoption of a fixed date is impracticable, the date of ratification would be satisfactory; and, further, if the date suggested is not satisfactory, a later date, say the first day of February, 1936, should be adopted.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted will be, where action is to be taken in any Province of Canada, the Attorney-General of such province; in the North West Territories, the Commissioner of the North West Territories; and in the Yukon Territory, the Gold Commissioner of that territory. The language in which communications to such authorities, and translations, are to be made, will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I have included a tabulated list of the authorities, together with their addresses, in my despatch No 251 of even date, herewith.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the interested Governments.

I have the honour to be,

Sir,

Your most obedient, humble servant,

O. D. SKELTON

for the Secretary of State for External Affairs.

* See Nos. 11-19, 1935 Treaty Series.

<i>Province or Territory</i>	<i>Authority and Address</i>	<i>Language</i>
Ontario	Attorney-General, Toronto	English
Quebec	Attorney-General, Quebec	English or French
Nova Scotia	Attorney-General, Halifax	English
Prince Edward Island	Attorney-General, Charlottetown	English
New Brunswick	Attorney-General, Fredericton	English
British Columbia	Attorney-General, Victoria	English
Manitoba	Attorney-General, Winnipeg	English
Saskatchewan	Attorney-General, Regina	English
Alberta	Attorney-General, Edmonton	English
North West Territories	Commissioner of the North West Territories, Ottawa	English
Yukon Territory	The Gold Commissioner of the Yukon Territory, Dawson City	English

*From the British Minister at The Hague to the Minister for Foreign Affairs
of the Netherlands*

BRITISH LEGATION

THE HAGUE, November 1, 1935.

No. 180

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency, in accordance with Article 15 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 31st May, 1932, the accession of His Majesty to that convention in respect of Canada.

The attached list indicates in respect of each province or territory of Canada the authority to whom requests for service or for the taking of evidence should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 15 (a) of the convention, the accession now notified will come into force three months from the date of this note, that is to say, on the 1st February next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

HUBERT MONTGOMERY

(Translation)

*From the Minister for Foreign Affairs of the Netherlands to the British Minister
at The Hague*

MINISTRY FOR FOREIGN AFFAIRS

THE HAGUE, November 29, 1935.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of Your Excellency's Note No. 180 of the 1st instant, by which you were good enough to inform me that, in accordance with Article 15 (a) of the convention containing provisions to facilitate proceedings in civil and commercial matters, signed at London, May 31, 1932, the effect of the said convention shall be extended to Canada.

In thanking Your Excellency for this kind communication, I avail myself, etc.,

For the Minister

A. M. SNOUCK HURGRONJE

Secretary General.

CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, AND HER MAJESTY THE QUEEN OF THE NETHERLANDS, REGARDING LEGAL PROCEDURE IN CIVIL AND COMMERCIAL MATTERS

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India,

and

Her Majesty the Queen of the Netherlands,

Being desirous to render mutual assistance in the conduct of proceedings, in their respective territories, in civil and commercial matters, which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

The Right Honourable Sir John Allsebrook Simon, G.C.S.I., K.C.V.O., O.B.E., K.C., M.P., His Principal Secretary of State for Foreign Affairs;

and

Her Majesty the Queen of the Netherlands:

Jonkheer R. de Marees van Swinderen, Knight Grand Cross of the Order of Oranje Nassau, Commander of the Order of the Netherlands Lion, G.C.V.O., Her Envoy Extraordinary and Minister Plenipotentiary in London;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

I.—Preliminary

ARTICLE 1

(a) This Convention applies only to civil and commercial matters.

(b) In this Convention the words “territory of one (or of the other) High Contracting Party” shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention may at that time have been made applicable.

II.—Service of Judicial and Extra-Judicial Documents

ARTICLE 2

When judicial or extra-judicial documents are required, for the purpose of proceedings which are being dealt with or which it is anticipated may be dealt with by the judicial authorities in the territory of one High Contracting Party, to be served in the territory of the other, such documents may be served on the recipient, whatever his nationality, in the manner provided in Article 3.

ARTICLE 3

(a) A request for service shall be addressed by a Consular Officer of the High Contracting Party from whose territory the documents to be served emanate, to the competent authority of the country where the documents are to be served, requesting such authority to cause the documents to be served. The request shall be sent by such Consular Officer to such authority.

(b) The request for service shall be drawn up in the language of the country where service is to be effected.

The request for service shall state the names of the authority (if any) by which the documents to be served have been issued, the full names and descriptions of the parties, the full names, address and description of the recipient, and the nature of the documents to be served, and shall enclose the documents to be served in duplicate.

(c) The documents to be served shall either be drawn up in the language of the country in which they are to be served, or be accompanied by a translation into such language. Such translation shall be certified as correct by a Diplomatic or Consular Officer of the High Contracting Party from whose territory the documents emanate.

(d) Requests for service shall be addressed and sent:—

In the Netherlands to the “Officier van Justitie” attached to the “Arrondissements Rechtbank” within whose jurisdiction the documents are to be served;

In England to the Senior Master of the Supreme Court of Judicature.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall of his own motion transmit the document to the competent authority of his own country.

(e) Service shall be effected by the competent authority of the country where the documents are to be served. If a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of the request for service duly made in accordance with the preceding provisions of this article shall not be refused unless the High Contracting Party in whose territory service is to be effected considers that his sovereignty or safety would be compromised thereby.

(g) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service or attempted service, and shall send the said certificate to the Consular Officer by whom the request for service was made. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

ARTICLE 4

(a) The provisions of Articles 2 and 3 in no way prejudice the liberty to use in the territory of either High Contracting Party, without any request to or intervention of the authorities of the country where service is effected, any of the following methods of service in connection with judicial or extra-judicial documents:—

- (1) Service by a Consular Officer of the High Contracting Party from whose territory the documents emanate;
- (2) Service by an agent appointed for the purpose either by the judicial authority by whom service of the documents is required or by the party on whose initiative service of the documents is required;

- (3) Service by the competent officials or officers of the country where the documents are to be served, acting directly at the request of the party on whose initiative service of the documents is required;
- (4) Service through the post;
- (5) Any other mode of service recognized by the law existing at the time of service in the country from which the documents emanate.

(b) It is understood that the validity and effect of any such service will remain a matter for determination in accordance with the respective laws of the High Contracting Parties.

(c) The High Contracting Parties agree that in principle it is desirable that documents served by any of these methods should, unless the recipient is a subject of the High Contracting Party from whose territory the documents to be served emanate, either be drawn up in the language of the country in which service is to be effected or accompanied by a translation into such language. Nevertheless, in the absence of any legislation in their respective territories making translations obligatory in such cases, the High Contracting Parties do not accept any obligation in this respect.

ARTICLE 5

(a) Except as provided in the following paragraphs of this article, no fees or charges of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

(b) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party by whose Consular Officer the request for service is addressed, shall pay to the other High Contracting Party any charges and expenses which are payable under the law of the country where the service is effected to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall be calculated in accordance with the scales in force for nationals in the country where service is effected.

(c) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Consular Officer by whom the request was addressed when sending to him the certificate provided for in Article 3 (g).

III.—*Taking of Evidence*

ARTICLE 6

(a) When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken in any one of the ways prescribed in Articles 7 or 8.

(b) It is understood that for the purposes of the present convention (i) the expression "taking of evidence" includes the taking of the statements of a Plaintiff or Defendant, on oath or otherwise, the submission to a Plaintiff, Defendant, Expert or any other person of any oath and the production, examination and identification of documents, samples and other objects with regard to any legal proceedings; (ii) the expression "witnesses" includes any person (whether Plaintiff or Defendant or other person) from whom any evidence, as defined above, is required to be taken.

ARTICLE 7

(a) The judicial authority by whom the evidence is required may, in accordance with the provisions of its law, address itself by means of "Letters of Request" to the competent authority of the country where the evidence is to be taken, requesting such authority to take the evidence.

(b) The "Letters of Request" shall be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation into such language. Such translation shall be certified as correct by a Diplomatic or Consular Officer of the High Contracting Party by whose judicial authority the request is issued. The "Letters of Request" shall state (i) the nature of the proceedings for which the evidence is required and the full names and descriptions of the parties thereto, and also (ii) *either* the full names, addresses and descriptions of the witnesses to be called *or* the names and addresses of the agents of the party or parties in the country, where the evidence is to be taken, who shall be responsible for informing the competent authority to whom the request is addressed of the names, addresses and descriptions of the witnesses to be called. The "Letters of Request" shall be accompanied by a certified copy of the order or the judgment requiring the evidence to be taken, together with a translation thereof certified in the manner above mentioned. They shall also *either* be accompanied by the interrogatories or oaths to be put to the witnesses (or, as the case may be, a description of the documents, samples or other objects to be produced) and a translation thereof certified as correct in the manner heretofore provided *or* shall request the competent authority to allow such questions to be asked *viva voce* as the parties or their representatives shall desire to ask.

(c) The "Letters of Request" shall be transmitted:

In England by the Consul-General of the Netherlands in London to the Senior Master of the Supreme Court of Judicature.

In the Netherlands by a British Consular Officer to the "Officier van Justitie" attached to the "Arrondissements Rechtbank" within whose jurisdiction the witnesses or the majority of the witnesses are resident, or, if the names and addresses of the witnesses are not stated, to the "Officier van Justitie" attached to the "Arrondissements Rechtbank" at The Hague.

In case the authority to whom "Letters of Request" are transmitted is not competent to execute them he shall forward the "Letters of Request" of his own motion to the competent authority of his own country.

(d) The competent authority to whom the "Letters of Request" are transmitted or forwarded shall give effect thereto and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order issued by the authorities of his own country, except that, if a wish that some special procedure should be followed is expressed in the "Letters of Request," such special procedure shall be followed in so far as it is not incompatible with the law of the country where the evidence is to be taken.

(e) The Consular Officer, by whom the "Letters of Request" are transmitted, shall, if he so desires, be informed of the date and place where the evidence will be taken, in order that he may inform the interested party or parties, who shall be permitted to be present in person or to be represented if they so desire by barristers or solicitors of the country where the evidence is being taken, or by any persons competent to appear before the courts of either of the countries concerned.

(f) The execution of the "Letters of request" can only be refused:

- (1) If in the country where the evidence is to be taken the execution of the "Letters of Request" in question does not fall within the functions of the judiciary.
- (2) If the High Contracting Party in whose territory the evidence is to be taken considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where the "Letters of Request" are not executed by the authority to whom they are addressed, the latter will at once inform the Consular Officer by whom they were transmitted, stating the grounds on which the execution of the "Letters of Request" has been refused, or the authority to whom they have been forwarded.

ARTICLE 8

(a) The evidence may also be taken, without any request to or the intervention of the authorities of the country in which it is to be taken, by a person in that country directly appointed for the purpose by the judicial authority by whom the evidence is required. A consular Officer of the High Contracting Party whose judicial authority requires the evidence or any other suitable person may be so appointed.

(b) A person so appointed to take evidence may request the individuals named by the judicial authority appointing him to appear before him for the purpose of taking their evidence. He may take all kinds of evidence which are not contrary to the law of the country where the evidence is being taken and may request such persons to take an oath, but he shall have no compulsory powers.

(c) Requests to appear issued by such person shall, unless the recipient is a subject of the High Contracting Party for whose judicial authority the evidence is required, be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure recognized by the law of the country for whose judicial authority the evidence is required, and the parties will have the right to be present or to be represented by barristers or solicitors of that country or by any persons competent to appear before the courts of either of the countries concerned.

ARTICLE 9

The fact that an attempt to take evidence by the method laid down in Article 8 has failed owing to the refusal of any witness to comply with the request does not preclude "Letters of Request" being subsequently addressed in accordance with Article 7.

ARTICLE 10

(a) Except as provided in the following paragraphs of this article, no fees or charges of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

(b) Where evidence is taken in the manner provided in Article 7, the High Contracting Party, by whose judicial authority the "Letters of Request" are addressed, shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters, or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such

authority may have deputed to act in cases where the law of his own country permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These charges and expenses shall be calculated in accordance with the scales in force for nationals in the country where the evidence is taken.

(c) The repayment of these expenses shall be claimed by the competent authority by whom the "Letters of Request" have been executed from the Consular Officer by whom they were transmitted when sending to him the documents establishing their execution.

IV.—General Provisions

ARTICLE 11

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

ARTICLE 12

The present Convention, of which the English and Dutch* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other, not less than six months before the expiration of the said period of three years, of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

ARTICLE 13

(a) The present Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of His Majesty's Colonies or Protectorates, nor to any territories under His suzerainty, nor to any mandated territories administered by His Government in Great Britain, but His Majesty may at any time, while the Convention is in force under Article 12, by a notification given through His Minister at The Hague, extend the operation of the present Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service or for the taking of evidence are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be three months from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 12 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

* Not printed.

ARTICLE 14

(a) This Convention shall not apply *ipso facto* to any of the overseas territories of the Kingdom of the Netherlands, but Her Majesty the Queen of the Netherlands may at any time, while the Convention is in force under Article 12, or by virtue of any accession under Article 15, extend this Convention to any of such overseas territories by a notification given through Her Minister in London.

(b) The provisions of paragraph (b) of Article 13 shall apply to any such notifications.

(c) The provisions of paragraphs (c) and (d) of Article 13 shall apply to any overseas territories of the Kingdom of the Netherlands to which this Convention has been extended.

ARTICLE 15

(a) His Majesty may at any time, while the present Convention is in force, either under Article 12 or by virtue of any accession under this article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any of His self-governing Dominions or India, provided that no notification of accession may be given at any time when Her Majesty the Queen of the Netherlands has given notice of termination in respect of all the territories of His Majesty to which the Convention applies. The provisions of Article 13 (b) shall be applicable to any such notification. Any such accession shall take effect three months after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the High Contracting Parties may, by giving six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 12 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and Dutch texts, and have affixed thereto their seals.

Done in duplicate at London, the 31st day of May, 1932.

(L.S.) JOHN SIMON

(L.S.) R. DE MAREES VAN SWINDEREN

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CANADA
—
TREATY SERIES, 1936
No. 3

NOTIFICATION EFFECTED BY AN
EXCHANGE OF NOTES
(October 9, 1935, January 1 and 3, 1936)

EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE CHIEF OF STATE OF THE
REPUBLIC OF ESTONIA

REGARDING

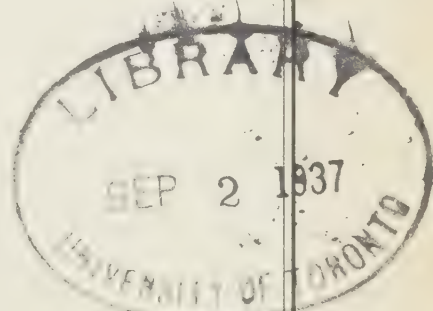
LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at London December 22, 1931
Ratifications exchanged at Tallinn August 18, 1932

—
IN FORCE FEBRUARY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937



NOTIFICATION EFFECTED BY AN
EXCHANGE OF NOTES
(October 9, 1935, January 1 and 3, 1936)
EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936
THE CONVENTION
BETWEEN
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COMMERCIAL MATTERS

Signed at London December 22, 1931
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IN FORCE FEBRUARY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (OCTOBER 9, 1935, JANUARY 1 AND 3, 1936) EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936, THE CONVENTION BETWEEN HIS MAJESTY AND THE CHIEF OF STATE OF THE REPUBLIC OF ESTONIA REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS SIGNED AT LONDON DECEMBER 22, 1931.

From the Secretary of State for External Affairs of Canada to the Secretary of State for Dominion Affairs

DEPARTMENT OF EXTERNAL AFFAIRS

No. 252

OTTAWA, October 9, 1935.

SIR,

I have the honour to refer to my despatch No. 126,* dated the 17th May, 1935, and to the Civil Procedure Conventions which have been concluded with Estonia, Denmark, Finland, Lithuania and the Netherlands, all of which have been signed and duly ratified.

I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the respective Governments. Such extension should, if it is possible, come into force from a fixed date and it is desirable that that date should be the first day of January, 1936. If, however, the adoption of a fixed date is impracticable, the date of ratification would be satisfactory; and, further, if the date suggested is not satisfactory, a later date, say the first day of February, 1936, should be adopted.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted will be, where action is to be taken in any Province in Canada, the Attorney-General of such province; in the North West Territories, the Commissioner of the North West Territories; and in the Yukon Territory, the Gold Commissioner of that territory. The language in which communications to such authorities, and translations, are to be made, will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I have included a tabulated list of the authorities, together with their addresses, in my despatch No. 251 of even date, herewith.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the interested Governments.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

O. D. SKELTON

for the Secretary of State for External Affairs.

* See Nos. 11-19 1935 Treaty Series.

<i>Province or Territory</i>	<i>Authority and Address</i>	<i>Language</i>
Ontario	Attorney-General, Toronto	English
Quebec	Attorney-General, Quebec	English or French
Nova Scotia	Attorney-General, Halifax	English
Prince Edward Island	Attorney-General, Charlottetown	English
New Brunswick	Attorney-General, Fredericton	English
British Columbia	Attorney-General, Victoria	English
Manitoba	Attorney-General, Winnipeg	English
Saskatchewan	Attorney-General, Regina	English
Alberta	Attorney-General, Edmonton	English
North West Territories	Commissioner of the North West Territories, Ottawa	English
Yukon Territory	The Gold Commissioner of the Yukon Territory, Dawson City	English

*From the British Charge d'Affaires a.i. at Tallinn to the
Minister for Foreign Affairs of Estonia*

BRITISH LEGATION

TALLINN, January 1, 1936.

No. 1

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency, in accordance with Article 16 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 22nd December, 1931, the accession of His Majesty to that convention in respect of the Dominion of Canada.

The attached list indicates in respect of each province or territory in Canada the authority to whom requests for service under Article 3 or Letters of Request under Article 7 should be transmitted. The language in which communications and translations are to be made is English except in the province of Quebec where they may be made in French or English.

In accordance with Article 16 (a) of the convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st February next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication,

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

W. H. GALLIENNE

H.B.M. Charge d'Affaires a.i.

*From the Minister for Foreign Affairs of Estonia to the
British Charge d'Affaires a.i. at Tallinn*

MINISTERE DES AFFAIRES ETRANGERES

TALLINN, January 3, 1936.

SIR,

Referring to your communications of the 1st January, 1936, No. 1 and 2* (55/1/2) on the subject of the accession of His Majesty in respect of the Dominion of Canada to the convention regarding legal proceedings in civil and commercial matters, signed at London on the 22nd December, 1931, I beg to inform you that I have communicated to the interested Estonian authorities the list indicating in respect of each province or territory in Canada the authority to whom requests for service under article 3 or Letters of Request under Article 7 containing full and complete interrogatories should be transmitted, the language being English, in the province Quebec—French or English.

I have not failed to inform the Estonian authorities of the fact that this accession will come into force on the 1st February next.

I avail myself of this opportunity to renew the assurance of my high consideration.

R. MÖLLERSON

Director of the Political Department

*No. 2 not printed.

**Convention between His Majesty, in respect of the United Kingdom, and
the Chief of State of the Republic of Estonia regarding Legal
Proceedings in Civil and Commercial Matters**

HIS Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the Chief of State of the Republic of Estonia,

Being desirous to render mutual assistance in the conduct of legal proceedings in civil and commercial matters which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose, and have appointed as their Plenipotentiaries:

HIS Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

The Right Honourable Sir John Allsebrook Simon, G.C.S.I., K.C.V.O.,
O.B.E., K.C., M.P., His Principal Secretary of State for Foreign
Affairs;

And the Chief of State of the Republic of Estonia:

Doctor Oskar Kallas, Envoy Extraordinary and Minister Plenipotentiary
of the Republic of Estonia in London;

Who, having communicated their full powers, found in good and due form,
have agreed as follows:—

I.—Preliminary

ARTICLE 1

(a) This Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words—

- (1) “Territory of one (or of the other) High Contracting Party” shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies.
- (2) “Persons” shall be deemed to mean individuals and artificial persons.
- (3) “Artificial persons” shall be deemed to include partnerships, companies, societies and other corporations.
- (4) “Subjects or citizens of a High Contracting Party” shall be deemed to include artificial persons constituted or incorporated under the laws of the territory of such High Contracting Party.
- (5) “Subject of one (or of the other) High Contracting Party” shall be deemed, in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, to mean all subjects of His Majesty wherever domiciled and all persons under His protection.

II.—*Service of Judicial and Extra-Judicial Documents*

ARTICLE 2

(a) When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required by a judicial authority situated therein to be served on persons in the territory of the other High Contracting Party, such documents may be served on the recipient, whatever his nationality, by any of the methods provided in articles 3 and 4 in all cases where such method of service is recognized by the law of the country of origin.

(b) In Part II of this Convention the expression "country of origin" means the country from which the documents to be served emanate, and the expression "country of execution" means the country in which service of documents is to be effected.

ARTICLE 3

(a) A request for service shall be addressed and sent by a Consular Officer acting for the country of origin to the competent authority of the country of execution, requesting such authority to cause the document in question to be served.

(b) The request for service shall be drawn up in the language of the country of execution and shall state the names and descriptions of the parties, the name, description and address of the recipient, and the nature of the document to be served, and shall enclose the document to be served in duplicate.

(c) The document to be served shall either be drawn up in the language of the country of execution, or be accompanied by a translation into such language. Such translation shall be certified as correct by a Consular Officer acting for the country of origin.

(d) Requests for service shall be addressed and sent:—

In England to the Senior Master of the Supreme Court of Judicature.

In Estonia to the Ministry of Justice and of the Interior.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall (except in cases where execution is refused in accordance with paragraph (f) of this article) of his own motion forward the request to the competent authority of the country of execution.

(e) Service shall be effected by the competent authority of the country of execution, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of a request for service, duly made in accordance with the preceding provisions of this article, shall not be refused unless (1) the authenticity of the request for service is not established, or (2) the High Contracting Party in whose territory it is to be executed considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where a request for service is not executed by the authority to whom it has been sent, the latter will at once inform the Consular Officer by whom the request was sent, stating the ground on which the execution of the request has been refused or the competent authority to whom it has been forwarded.

(h) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service

or attempted service, and shall send the said certificate to the Consular Officer by whom the request for service was sent. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

ARTICLE 4

(a) Service may be effected, without any request to or intervention of the authorities of the country of execution, by any of the following methods:—

- (1) By a Consular Officer acting for the country of origin;
- (2) By an agent appointed for the purpose either by the judicial authority of the country of origin or by the party on whose application the document was issued;
- (3) Through the post; or
- (4) By any other method of service which is not illegal, under the law existing at the time of service, in the country of execution.

(b) All documents served in the manner provided in (1) of the preceding paragraph shall, unless the recipient is a subject or citizen of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country of execution or be accompanied by a translation into such language, certified as correct as prescribed in article 3 (c).

(c) The High Contracting Parties agree that in principle it is also desirable that the provisions of paragraph (b) of this article should apply to documents served in the manner provided in (2), (3) and (4) of paragraph (a) of this article. Nevertheless, in the absence of any legislation in their respective territories making translations obligatory in such cases, the High Contracting Parties do not accept any obligation in this respect.

(d) It is understood that the question of the validity of any service effected by the use of any of the methods referred to in paragraph (a) of this article will remain a matter for the free determination of the respective courts of the High Contracting Parties in accordance with their laws.

ARTICLE 5

(a) In any case where documents have been served in accordance with the provisions of article 3, the High Contracting Party, by whose Consular Officer the request for service was addressed, shall repay to the other High Contracting Party any charges and expenses which are payable under the law of the country of execution to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Consular Officer by whom the request was addressed, when sending to him the certificate provided for in article 3 (h).

(c) Except as provided above, no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

III.—*Taking of Evidence*

ARTICLE 6

(a) When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken, whatever the nationality of the parties or witnesses may be, in any one of the ways prescribed in articles 7, 8 or 9.

(b) In part III of this Convention, the expressions—

- (1) "Taking of evidence" shall be deemed to include the taking of the statements of a plaintiff, defendant, expert or any other person on oath or otherwise; the submission to a plaintiff, defendant, expert or any other person of any oath with regard to any legal proceedings; and the production, identification and examination of documents, samples or other objects.
- (2) "Witness" shall be deemed to include any person from whom any evidence, as defined above, is required to be taken.
- (3) "Country of origin" shall be deemed to mean the country by whose judicial authority the evidence is required, and "country of execution," the country in which the evidence is to be taken.

ARTICLE 7

(a) The judicial authority of the country of origin may, in accordance with the provisions of the law of his country, address himself by means of a Letter of Request to the competent authority of the country of execution, requesting such authority to take the evidence.

(b) The Letter of Request shall be drawn up in the language of the country of execution, or be accompanied by a translation into such language. Such translation shall be certified as correct by a Consular Officer acting for the country of origin. The Letter of Request shall state the nature of the proceedings for which the evidence is required, giving all necessary information in regard thereto, the names of the parties thereto, and the names, descriptions and addresses of the witnesses. They shall also either (1) be accompanied by a list of interrogatories to be put to the witness or witnesses, or, as the case may be, by a description of the documents, samples or other objects to be produced, identified or examined, and a translation thereof, certified as correct in the manner heretofore provided; or (2) shall request the competent authority to allow such questions to be asked *viva voce* as the parties or their representatives shall desire to ask.

(c) Letters of Request shall be transmitted—

In England by an Estonian Consular Officer to the Senior Master of the Supreme Court of Judicature.

In Estonia by a British Consular Officer to the Ministry of Justice and of the Interior.

In case the authority to whom any Letter of Request is transmitted is not competent to execute it, such authority shall (except in cases where execution is refused in accordance with paragraph (f) of this article) of his own motion forward the Letter of Request to the competent authority of the country of execution.

(d) The competent authority of the country of execution shall give effect to the Letter of Request and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country, except that if a wish that some special procedure should be followed is expressed in the Letter of Request, such special procedure shall be followed in so far as it is not incompatible with the law of the country of execution.

(e) The Consular Officer, by whom the Letter of Request is transmitted, shall, if he so desires, be informed of the date when and the place where the proceedings will take place, in order that he may inform the interested party or parties, who shall be permitted to be present in person or to be represented, if they so desire, by barristers or solicitors or by any representatives who are competent to appear before the courts either of the country of origin or of the country of execution.

(f) The execution of a Letter of Request which complies with the preceding provisions of this article can only be refused—

- (1) If the authenticity of the Letter of Request is not established.
- (2) If in the country of execution, the execution of the Letter of Request in question does not fall within the functions of the judiciary.
- (3) If the High Contracting Party in whose territory it is to be executed considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where a Letter of Request is not executed by the authority to whom it is addressed, the latter will at once inform the Consular Officer by whom it was transmitted, stating the grounds on which the execution of the Letter of Request has been refused, or the competent authority to whom it has been forwarded.

(h) When a Letter of Request has been executed, the competent authority to whom it was transmitted or forwarded shall send to the Consular Officer by whom it was transmitted the necessary documents establishing its execution.

ARTICLE 8

(a) The judicial authority of the country of origin may, in the Letter of Request addressed to the competent authority of the country of execution, request such authority to appoint to take the evidence a person specially designated in the Letter of Request.

A Consular Officer acting for the country of origin, or any other suitable person, may be so designated.

(b) Where this procedure is adopted, the provisions of paragraphs (b), (c), (f), (g) and (h) of article 7 shall apply, but the following paragraphs shall be substituted for paragraphs (d) and (e) of that article.

(c) The competent authority of the country of execution shall give effect thereto and shall appoint the person designated to take the evidence, unless such person shall be unwilling so to act. In addition, if necessary, such authority shall make use of such compulsory powers as it possesses under its own law to secure the attendance of and the giving of evidence by the witnesses before the person so appointed.

(d) The person thus appointed shall have power to administer an oath, and any person giving false evidence before him shall be liable in the courts of the country of execution to the penalties provided by the law of that country for perjury.

(e) The evidence shall be taken in accordance with the law of the country of origin, provided such method is not contrary to the law of the country of execution, and the parties shall have the right to be present in person or to be represented by barristers or solicitors or by any other persons who are competent to appear before the courts of either the country of origin or of execution.

ARTICLE 9

(a) The evidence may also be taken, without any request to, or the intervention of, the authorities of the country of execution by a person in that country directly appointed for the purpose by the court of the country of origin. A Consular Officer acting for the country of origin or any other suitable individual may be so appointed.

(b) A person so appointed to take evidence may request the individuals named by the court appointing him to appear before him and to give evidence. He may take all kinds of evidence which are not contrary to the law of the country of execution, and shall have power to administer an oath. The attendance and giving of evidence before any such person shall be entirely voluntary and no measures of compulsion shall be employed.

(c) Requests to appear issued by such person shall, unless the recipient is a subject or citizen of the High Contracting Party for whose judicial authority the evidence is required, be drawn up in the language of the country of execution or be accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure recognized by the law of the country of origin, and the parties will have the right to be present in person or to be represented by barristers or solicitors of that country or by any representatives who are competent to appear before the courts either of the country of origin or of the country of execution.

ARTICLE 10

The fact that an attempt to take evidence by the method laid down in article 9 has failed owing to the refusal of any witness to appear or to give evidence does not preclude a request being subsequently made in accordance with article 7 or 8.

ARTICLE 11

(a) Where evidence is taken in the manner provided in article 7 or 8, the High Contracting Party, by whose judicial authority the Letter of Request was addressed, shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act, in cases where the law of the country of execution permits this to be done, and any charges or expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country of execution.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the Letter of Request has been executed from the Consular Officer by whom it was transmitted when sending to him the documents establishing its execution as provided in article 7 (h).

(c) Except as above provided, no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

IV.—*Judicial Assistance for Poor Persons, Imprisonment for Debt and Security for Costs*

ARTICLE 12

The subjects or citizens of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects or citizens of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and, provided that they are resident in such territory, shall not be compelled to give security for costs in any case where a subject or citizen of such other High Contracting Party would not be so compelled.

V.—*General Provisions*

ARTICLE 13

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

ARTICLE 14

The present Convention shall be subject to ratification. Ratifications shall be exchanged in Tallinn. The Convention shall come into force one month after the date on which ratifications are exchanged, and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

ARTICLE 15

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of the Colonies or Protectorates of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any territories under his suzerainty, nor to any mandated territories in respect of which the mandate is exercised by His Government in the United Kingdom, but His Majesty may at any time, while this Convention is in force under article 14, by a notification given through His Minister in Estonia, extend the operation of the Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service under article 3 or Letters of Request under article 7 are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be one month from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under article 14 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this article.

ARTICLE 16

(a) The High Contracting Parties agree that His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, may at any time, while the present Convention is in force, either under article 14 or by virtue of any accession under this article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when the Estonian Government has given notice of termination in respect of all the territories of His Majesty to which the Convention applies. The provisions of article 15 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this article, either of the High Contracting Parties may, by giving six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under article 14 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention in English, and have affixed thereto their seals.

Done in duplicate at London, the 22nd day of December, 1931.

(L.S.) JOHN SIMON

(L.S.) OSKAR KALLAS

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CANADA

TREATY SERIES, 1936

No. 4

NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(October 9, 1935, January 1 and 7, 1936)

EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

HIS MAJESTY THE KING OF DENMARK
AND ICELAND

REGARDING

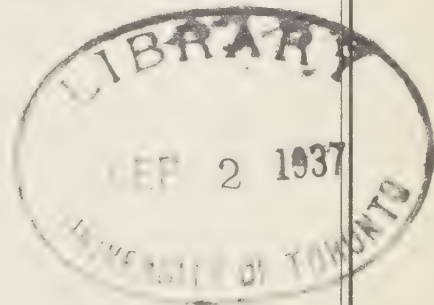
LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at London November 29, 1932
Ratifications exchanged at London May 12, 1933

IN FORCE FEBRUARY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937



Price, 25 cents.

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OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1937

NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (OCTOBER 9, 1935, JANUARY 1 AND 7, 1936) EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936, THE CONVENTION BETWEEN HIS MAJESTY AND HIS MAJESTY THE KING OF DENMARK AND ICELAND REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS SIGNED AT LONDON NOVEMBER 29, 1932

*From the Secretary of State for External Affairs of Canada to the
Secretary of State for Dominion Affairs*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, October 9, 1935.

No. 252

SIR,

I have the honour to refer to my despatch No. 126*, dated the 17th May, 1935, and to the Civil Procedure Conventions which have been concluded with Estonia, Denmark, Finland, Lithuania and the Netherlands; all of which have been signed and duly ratified.

I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the respective Governments. Such extension should, if it is possible, come into force from a fixed date and it is desirable that that date should be the first day of January, 1936. If, however, the adoption of a fixed date is impracticable, the date of ratification would be satisfactory; and, further, if the date suggested is not satisfactory, a later date, say the first day of February, 1936, should be adopted.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted will be, where action is to be taken in any Province in Canada, the Attorney-General of such province; in the North West Territories, the Commissioner of the North West Territories; and in the Yukon Territory, the Gold Commissioner of that territory. The language in which communications to such authorities, and translations, are to be made, will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I have included a tabulated list of the authorities, together with their addresses, in my despatch No. 251 of even date, herewith.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the interested Governments.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

O. D. SKELTON

for the Secretary of State for External Affairs

* See Nos. 11-19, 1935 Treaty Series.

PROVINCE OR TERRITORY	AUTHORITY AND ADDRESS	LANGUAGE
Ontario	Attorney-General, Toronto	English
Quebec	Attorney-General, Quebec	English or French
Nova Scotia	Attorney-General, Halifax	English
Prince Edward Island	Attorney-General, Charlottetown	English
New Brunswick	Attorney-General, Fredericton	English
British Columbia	Attorney-General, Victoria	English
Manitoba	Attorney-General, Winnipeg	English
Saskatchewan	Attorney-General, Regina	English
Alberta	Attorney-General, Edmonton	English
North West Territories	Commissioner of the North West Territories, Ottawa	English
Yukon Territory	The Gold Commissioner of the Yukon Territory, Dawson City	English

*From the British Minister at Copenhagen to the Minister for
Foreign Affairs of Denmark*

BRITISH LEGATION

COPENHAGEN, January 1, 1936.

No. 1

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency, in accordance with Article 16 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 29th November, 1932, the accession of His Majesty to that convention in respect of the Dominion of Canada.

The attached list indicates in respect of each province or territory in Canada the authority to whom requests for service or for the taking of evidence should be transmitted. The language in which communications and translations are to be made is English except in the province of Quebec where they may be made in English or French.

In accordance with Article 16 (a) of the convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st February next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication,

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

PATRICK RAMSAY

(Translation)

*From the Minister for Foreign Affairs of Denmark to the
British Minister at Copenhagen*

UDENRIGSMINISTERIET

COPENHAGEN, January 7, 1936.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of your notes Nos. 1 and 2 (64/1/36 and 64/2/36) dated the first instant, by which you were good enough to inform me that the Convention concluded in London on November 29, 1932, between Denmark and Great Britain and Northern Ireland regarding certain civil procedure measures, shall also apply to Canada as from the first of next month.

I avail myself of this opportunity to renew to you, Monsieur le Ministre, the assurance of my high consideration.

H. A. BERNHOFT
For the Minister

CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, AND HIS MAJESTY THE KING OF DENMARK AND ICELAND REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Denmark and Iceland:

Being desirous to render mutual assistance in the conduct of legal proceedings, in their respective territories, in civil and commercial matters which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

The Right Honourable Sir John Allsebrook Simon, G.C.S.I., K.C.V.O., O.B.E., K.C., M.P., His Principal Secretary of State for Foreign Affairs; and

His Majesty the King of Denmark and Iceland:

Count Preben Ferdinand Ahlefeldt-Laurvig, His Envoy Extraordinary and Minister Plenipotentiary in London;

Who having communicated their full powers, found in good and due form, have agreed as follows:—

I.—*Preliminary*

ARTICLE 1

(a) This Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words “territory of one (or of the other) High Contracting Party” shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies.

(c) In this Convention the words “subject of one (or of the other) High Contracting Party” shall be deemed, in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, to mean all subjects of His Majesty wherever domiciled, and shall include all persons under His Majesty’s protection.

II.—*Service of Judicial and Extra-Judicial Documents*

ARTICLE 2

When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required by a judicial authority situated therein to be served on persons, partnerships, companies, societies or other

corporations in the territory of the other High Contracting Party, such documents may, without prejudice to the provisions of Article 5, be served on the recipient, in either of the ways provided in Articles 3 and 4.

ARTICLE 3

(a) A request for service shall be addressed by a Consular Officer of the High Contracting Party from whose territory the documents to be served emanate, to the competent authority of the country where the documents are to be served, requesting such authority to cause the documents to be served. The request shall be sent by such Consular Officer to such authority.

(b) The request for service shall be drawn up in the language of the country where service is to be effected.

The request for service shall state the full names and descriptions of the parties, the full names and address and description of the recipient, and the nature of the document to be served, and shall enclose the documents to be served in duplicate.

(c) The document to be served shall either be drawn up in the language of the country in which it is to be served, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Consular Officer of the High Contracting Party from whose territory the document emanates.

(d) Requests for service shall be addressed and sent—

In England, to the Senior Master of the Supreme Court of Judicature.

In Denmark, to the Court in whose district the person to be served is resident or sojourning, and where such person is resident or sojourning in Copenhagen, to the Copenhagen Town Court.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall of his own motion transmit the document to the competent authority of his own country.

(e) Service shall be effected by the competent authority of the country where the document is to be served, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of the request for service duly made in accordance with the preceding provisions of this Article shall not be refused unless (1) the authenticity of the request for service is not established, or (2) the High Contracting Party in whose territory it is to be effected considers that his sovereignty or safety would be compromised thereby.

(g) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service or attempted service, and shall send the said certificate to the Consular Officer by whom the request for service was made. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

ARTICLE 4

(a) Unless the recipient is a subject of the High Contracting Party in whose territory the document is to be served, service may be effected without any request to or intervention of the authorities of the country where it is effected—

(1) By a Consular Officer of the High Contracting Party from whose territory the document emanates.

(2) By an agent appointed for the purpose either by the judicial authority by whom service of the document is required or by the party on whose application the document was issued.

(b) All documents served in the manner provided in the preceding paragraph shall, unless the recipient is a subject of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country in which service is to be effected or accompanied by a translation into such language certified as correct as prescribed in Article 3 (c).

ARTICLE 5

Nothing in this Convention shall render illegal or inadmissible the service in the territory of one High Contracting Party of documents drawn up in the territory of the other High Contracting Party by any one of the following methods of service in any case where such method is recognised as valid by the law of the country from which the documents emanate:—

(a) By the competent officials or officers of the country where they are to be served acting directly at the request of the parties concerned in cases where such officials or officers are not prohibited from so acting by the law of that country;

(b) Through postal channels; or

(c) By any other mode of service which is not illegal under the law existing at the time of service in the country where it is to be effected.

ARTICLE 6

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Consular Officer the request for service is addressed, shall pay to the other High Contracting Party any charges and expenses which are payable under the law of the country where the service is effected to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Consular Officer by whom the request was addressed when sending to him the certificate provided for in Article 3 (g).

(c) Except as provided above, no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

III.—*Taking of Evidence*

ARTICLE 7

When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken in either of the ways prescribed in Articles 8 or 9.

ARTICLE 8

(a) The judicial authority by whom the evidence is required may, in accordance with the provisions of its law, address itself by means of "Letters of Request" to the competent authority of the country where the evidence is to be taken, requesting such authority to take the evidence.

(b) The "Letter of Request" shall be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation in such language. Such translation shall be certified as correct by a Consular

Officer of the High Contracting Party from whose judicial authority the request emanates. The "Letters of Request" shall state the nature of the proceedings for which the evidence is required, the full names and descriptions of the parties thereto, and the full names, addresses and descriptions of the witnesses. They shall also either be accompanied by a list of interrogatories to be put to the witness or witnesses and a translation thereof certified as correct in the manner heretofore provided or shall request the competent authority to allow such questions to be asked *vivâ voce* as the parties or their representatives shall desire to ask.

(c) The "Letters of Request" shall be transmitted—

In England by a Danish Consular Officer to the Senior Master of the Supreme Court of Judicature.

In Denmark by a British Consular Officer to the court in whose district the witness is resident or sojourning, and where such person resides or is sojourning in Copenhagen, to the Ministry of Justice.

In case the authority to whom "Letters of Request" are transmitted is not competent to execute them, the "Letters of Request" shall be forwarded without any further request to the competent authority of his own country.

(d) The competent authority to whom the "Letters of Request" are transmitted or forwarded shall give effect thereto and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country, except that if a wish that some special procedure should be followed is expressed in the "Letters of Request" such special procedure should be followed in so far as it is not incompatible with the law of the country where the evidence is to be taken.

(e) The Consular Officer, by whom the "Letters of Request" are transmitted, shall, if he so desires, be informed of the date and place where the proceedings will take place, in order that he may inform the interested party or parties, who shall be permitted to be present in person or to be represented if they so desire.

(f) The execution of the "Letters of Request" can only be refused—

(1) If the authenticity of the "Letters of Request" is not established.

(2) If in the country where the evidence is to be taken the execution of the "Letters of Request" in question does not fall within the functions of the judiciary.

(3) If the High Contracting Party in whose territory the evidence is to be taken considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where the "Letters of Request" are not executed by the authority to whom they are addressed, the latter will at once inform the Consular Officer by whom they were transmitted, stating the grounds on which the execution of the "Letters of Request" has been refused, or the judicial authority to whom they have been forwarded.

ARTICLE 9

(a) The evidence may also be taken, without any request to or the intervention of the authorities of the country in which it is to be taken by a person in that country directly appointed for the purpose by the court by whom the evidence is required. A Consular Officer of the High Contracting Party whose court requires the evidence or any other suitable person may be so appointed.

(b) A person so appointed to take evidence may request the individuals named by the court appointing him to appear before him and give evidence or to produce any document. He may take all kinds of evidence which are not contrary to the law of the country where the evidence is being taken and shall have power to administer an oath, but he shall have no compulsory powers.

(c) Requests to appear issued by such person shall, unless the recipient is a subject of the High Contracting Party for whose judicial authority the evidence is required, be drawn up in the language of the country where the evidence is to be taken, or be accompanied by a translation into such language.

(d) The evidence may be taken in accordance with the procedure recognised by the law of the country for whose judicial authority the evidence is required, and the parties will have the right to be present or to be represented by barristers or solicitors of that country or by any persons competent to appear before the court of either of the countries concerned.

(e) The procedure provided for in this Article is purely voluntary and any individual requested to appear is free to refuse to comply with any such request or to give any evidence or produce any document. Any such refusal shall not render such individual liable to any penalty or prejudice in relation to the proceedings for which the evidence is required.

ARTICLE 10

The fact that an attempt to take evidence by the method laid down in Article 9 has failed owing to the refusal of any witness to appear, to give evidence, or to produce documents does not preclude a request being subsequently made in accordance with Article 8.

ARTICLE 11

(a) Where evidence is taken in the manner provided in Article 8 the High Contracting Party by whose judicial authority the "Letters of Request" are addressed, shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters, or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act in cases where the law of his own country permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall not exceed such as are usually allowed in similar cases in the courts of the country where the evidence has been taken.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the "Letters of Request" have been executed from the Consular Officer by whom they were transmitted when sending to him the documents establishing their execution.

(c) Except as above provided no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

IV.—*Judicial Assistance for Poor Persons, Imprisonment for Debt and Security for Costs*

ARTICLE 12

The subjects of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and provided that they are resident in any such territory, shall not be compelled to give security for costs in any case where a subject of such other High Contracting Party would not be so compelled.

V.—General Provisions

ARTICLE 13

Any difficulties which may arise in connexion with the operation of this Convention shall be settled through the Diplomatic channel.

ARTICLE 14

The present Convention, of which the English and Danish* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the Diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

ARTICLE 15

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of His Britannic Majesty's Colonies or Protectorates, nor to any territories under his suzerainty, nor to any mandated areas administered by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland, but His Britannic Majesty may at any time, while the Convention is in force, under Article 14, by a notification given through His Minister at Copenhagen, extend the operation of this Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service or for the taking of evidence are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be one month from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the Diplomatic channel.

(d) The termination of the Convention under Article 14 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

ARTICLE 16

(a) His Britannic Majesty may at any time, while the present Convention is in force, either under Article 14 or by virtue of any accession under this Article, by a notification given through the Diplomatic channel, accede to the present Convention in respect of any of His self-governing Dominions or India, provided that no notification of accession may be given at any time when His Majesty the King of Denmark and Iceland has given notice of termination in respect of all the territories of His Britannic Majesty to which the Convention applies. The provisions of Article 15 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

* Not printed.

(*b*) After the expiry of three years from the date of the coming into force of any accession under paragraph (*a*) of this Article, either of the High Contracting Parties may, by giving a six months' notice of termination through the Diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 14 shall not affect its application to any such country.

(*c*) Any notification of accession under paragraph (*a*) of this Article may include any dependency or mandated area administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (*b*) shall apply to any dependency or mandated area which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and Danish texts, and have affixed thereto their seals.

Done in duplicate at London, this 29th day of November, 1932.

(L.S.) JOHN SIMON

(L.S.) P. F. AHLEFELDT-LAURVIG

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CANADA

TREATY SERIES, 1936
No. 5

NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES
(October 9, 1935, January 1 and 3, 1936)

EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE PRESIDENT OF FINLAND

REGARDING

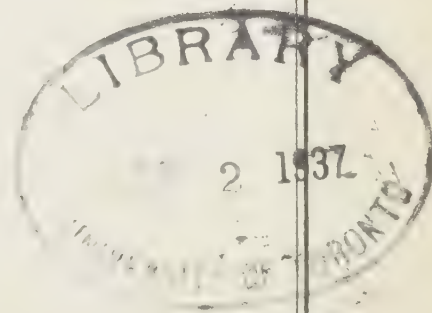
LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at London August 11, 1933
Ratifications exchanged at London January 23, 1934

IN FORCE FEBRUARY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937



NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(October 9, 1935, January 1 and 3, 1936)

EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE PRESIDENT OF FINLAND

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at London August 11, 1933

Ratifications exchanged at London January 23, 1934

IN FORCE FEBRUARY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (October 9, 1935, January 1 and 3, 1936) EXTENDING TO CANADA AS FROM FEBRUARY 1, 1936, THE CONVENTION BETWEEN HIS MAJESTY AND THE PRESIDENT OF FINLAND REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS SIGNED AT LONDON AUGUST 11, 1933

From the Secretary of State for External Affairs of Canada to the Secretary of State for Dominion Affairs

DEPARTMENT OF EXTERNAL AFFAIRS

No. 252

OTTAWA, October 9, 1935.

SIR,

I have the honour to refer to my despatch No. 126,¹ dated the 17th May, 1935, and to the Civil Procedure Conventions which have been concluded with Estonia, Denmark, Finland, Lithuania and the Netherlands, all of which have been signed and duly ratified.

I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the respective Governments. Such extension should, if it is possible, come into force from a fixed date and it is desirable that that date should be the first day of January, 1936. If, however, the adoption of a fixed date is impracticable, the date of ratification would be satisfactory; and, further, if the date suggested is not satisfactory, a later date, say the first day of February, 1936, should be adopted.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted will be, where action is to be taken in any Province in Canada, the Attorney-General of such province; in the North West Territories, the Commissioner of the North West Territories; and in the Yukon Territory, the Gold Commissioner of that territory. The language in which communications to such authorities, and translations, are to be made, will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I have included a tabulated list of the authorities, together with their addresses, in my despatch No. 251 of even date, herewith.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the interested Governments.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

O. D. SKELTON

*for the Secretary of State for
External Affairs*

¹ See Nos. 11-19, 1935 Treaty Series.

PROVINCE OR TERRITORY	AUTHORITY AND ADDRESS	LANGUAGE
Ontario	Attorney-General, Toronto	English
Quebec	Attorney-General, Quebec	English or French
Nova Scotia	Attorney-General, Halifax	English
Prince Edward Island	Attorney-General, Charlottetown	English
New Brunswick	Attorney-General, Fredericton	English
British Columbia	Attorney-General, Victoria	English
Manitoba	Attorney-General, Winnipeg	English
Saskatchewan	Attorney-General, Regina	English
Alberta	Attorney-General, Edmonton	English
North West Territories	Commissioner of the North West Territories, Ottawa	English
Yukon Territory	The Gold Commissioner of the Yukon Territory, Dawson City	English

*From the British Minister at Helsingfors to the
Minister of Foreign Affairs of Finland*

BRITISH LEGATION

HELSINGFORS, January 1, 1936.

No. 1

MONSIEUR LE MINISTRE,

At the instance of His Majesty's Government in Canada I have the honour to notify Your Excellency, in accordance with Article 15 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at London on the 11th August, 1933, the accession of His Majesty to that convention in respect of the Dominion of Canada.

The attached list indicates in respect of each province or territory in Canada the authority to whom requests for service under Article 3 or Letters of Request under Article 7 should be transmitted. The language in which communications and translations are to be made is English except in the Province of Quebec, where they may be made either in French or in English.

In accordance with Article 15 (a) of the convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st February next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my high consideration.

H. A. GRANT WATSON

*From the Minister of Foreign Affairs of Finland to the
British Minister at Helsingfors*

MINISTÈRE DES AFFAIRES ETRANGÈRES DE FINLANDE

HELSINKI, January 3, 1936.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of your note No. 1 of the 1st inst. in which you were good enough to notify to me the accession of His Majesty to the convention regarding legal proceedings in civil and commercial matters in respect of the Dominion of Canada; this accession coming into force on the 1st February next.

I have taken good notice of the information as to the authorities to whom requests for service and Letters of Request are to be transmitted and of the information, that the language in which communications and translations are to be made is English except in the Province of Quebec, where they may be made either in French or in English.

Thanking you for the information I have the honour to inform you that I will not fail to bring it to the notice of the Finnish authorities concerned.

I avail myself of this opportunity to renew to you, Monsieur le Ministre, the assurance of my high consideration.

For the Minister

BRUNO KIVIKOSKI

Secretary General.

Convention between His Majesty in respect of the United Kingdom and the President of Finland Regarding Legal Proceedings in Civil and Commercial Matters

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the Republic of Finland;

Being desirous to render mutual assistance in the conduct of legal proceedings in civil and commercial matters which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

Sir Robert Vansittart, G.C.M.G., K.C.B., M.V.O., Permanent Under-Secretary of State for Foreign Affairs;

The President of the Republic of Finland:

Monsieur Georg Achates Gripenberg, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Finland in London;

Who, having communicated their full powers, found in good and due form have agreed as follows:—

I.—Preliminary

ARTICLE 1

(a) This Convention applies only to civil and commercial matters including non-contentious matters.

(b) In this Convention the words:

(1) “territory of one (or of the other) High Contracting Party” shall be interpreted (a) in relation to the Republic of Finland, as meaning Finland and (b) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India—England and Wales and all territories in respect of which the Convention is in force by reason of extensions under Article 14 or accessions under Article 15;

(2) “persons” shall be deemed to mean individuals and artificial persons;

(3) “artificial persons” shall be deemed to include partnerships, companies, societies and other corporations;

(4) “subjects or citizens of a High Contracting Party” shall be deemed to include artificial persons constituted or incorporated under the laws of the territory of such High Contracting Party;

(5) “subjects (or citizens) of one (or of the other) High Contracting Party” shall be deemed to mean (a) in relation to the Republic of Finland—all Finnish citizens; and (b) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India—all subjects of His Majesty wherever domiciled, and all persons under His protection.

II.—*Service of Judicial and Extra-Judicial Documents*

ARTICLE 2

(a) When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required to be served on persons in the territory of the other High Contracting Party, such documents may be served on the recipient, whatever his nationality, in the manner provided in Article 3.

(b) In Part II of this Convention the expression "country of origin" means the country from which the documents to be served emanate, and the expression "country of execution" means the country in which service of documents is to be effected.

ARTICLE 3

(a) A request for service shall be addressed and sent by a Diplomatic or Consular Officer acting for the country of origin to the competent authority of the country of execution, requesting such authority to cause the document in question to be served.

(b) The request for service shall be drawn up in the language of the country of execution and shall state the full names and descriptions of the parties, the full name, description and address of the recipient, and the nature of the document to be served, and shall enclose the document to be served in duplicate.

(c) The document to be served shall either be drawn up in the language of the country of execution, or be accompanied by a translation into such language. Such translation shall be certified as correct by a Diplomatic or Consular Officer acting for the country of origin.

(d) Requests for service shall be addressed and sent:

In Finland to the Governor of the Province in which service is to be effected;
In England to the Senior Master of the Supreme Court of Judicature.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall (except in cases where execution is refused in accordance with paragraph (f) of this Article) of his own motion forward the request to the competent authority of the country of execution.

(e) Service shall be effected by the competent authority of the country of execution, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of a request for service, duly made in accordance with the preceding provisions of this Article, shall not be refused unless (1) the authenticity of the request for service is not established, or (2) the High Contracting Party in whose territory it is to be executed considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where a request for service is not executed by the authority to whom it has been sent, the latter will at once inform the Diplomatic or Consular Officer by whom the request was sent, stating the ground on which the execution of the request has been refused or the competent authority to whom it has been forwarded.

(h) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service or attempted service, and shall send the said certificate to the Diplomatic or Consular Officer by whom the request for service was sent. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

ARTICLE 4

(a) The provisions of Articles 2 and 3 in no way prejudice the right to use in the territory of either High Contracting Party, without any request to or intervention of the authorities of the country of execution, any of the following methods of service in connection with judicial or extra-judicial documents drawn up in the territory of the other High Contracting Party:

(1) Service by a Diplomatic or Consular Officer acting for the country of origin;

(2) Service by an agent appointed for the purpose either by the judicial authority of the country of origin or by the party on whose application the document was issued;

(3) Service through the post; or

(4) Any other method of service recognised under the law existing at the time of service in the country of origin.

(b) The High Contracting Parties agree that in principle it is desirable that documents served by any of the methods referred to in paragraph (a) of this Article should, unless the recipient is a subject or citizen of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country of execution or be accompanied by a translation into such language. Nevertheless, in the absence of any legislation in their respective territories making translations obligatory in such cases, the High Contracting Parties do not accept any obligation in this respect.

(c) It is understood that the question of the validity and effect of any service effected by the use of any of the methods referred to in paragraph (a) of this Article will remain a matter for the free determination of the respective courts of the High Contracting Parties in accordance with their laws.

ARTICLE 5

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Diplomatic or Consular Officer the request for service was addressed shall repay to the other High Contracting Party any charges and expenses which are payable under the law of the country of execution to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Diplomatic or Consular Officer by whom the request was addressed, when sending to him the certificate provided for in Article 3 (h).

(c) Except as provided above, no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

III. *Taking of Evidence*

ARTICLE 6

(a) When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken, whatever the nationality of the parties or witnesses may be, in the manner prescribed in Article 7.

(b) In Part III of this Convention (but without prejudice to the safeguards in respect of the law of the country of execution contained in paragraph (d) of Article 7) the expressions:

(1) "Taking of evidence" shall be deemed to include the taking of the statements of a plaintiff, defendant, expert or any other person on oath or otherwise; the submission to a plaintiff, defendant, expert or any other person of any oath with regard to any legal proceedings; and the production, identification and examination of documents, samples or other objects;

(2) "Witness" shall be deemed to include any person from whom any evidence, as defined above, is required to be taken;

(3) "Country of origin" shall be deemed to mean the country by whose judicial authority the evidence is required, and "country of execution," the country in which the evidence is to be taken.

ARTICLE 7

(a) The judicial authority of the country of origin may, in accordance with the provisions of the law of his country, address himself by means of a Letter of Request to the competent authority of the country of execution, requesting such authority to take the evidence.

(b) The Letter of Request shall be drawn up in the language of the country of execution or be accompanied by a translation into such language. Such translation shall be certified as correct by a Diplomatic or Consular Officer acting for the country of origin. The Letter of Request shall state the nature of the proceedings for which the evidence is required, giving all necessary information in regard thereto, the full names and descriptions of the parties thereto, and the full names, descriptions and addresses of the witnesses. It shall also either (1) be accompanied by a list of interrogatories to be put to the witness or witnesses, or, as the case may be, by a description of the documents, samples or other objects to be produced, identified or examined, and a translation thereof, certified as correct in the manner heretofore provided; or (2) shall contain instructions or information as to the matters in relation to which evidence is required; or (3) shall request the competent authority to allow such questions to be asked *viva voce* as the parties or their representatives shall desire to ask.

(c) Letters of Request shall be transmitted:

In Finland by a British Consular Officer to the Tribunal of First Instance in the jurisdiction of which the witnesses to be examined are resident;

In England by a Finnish Diplomatic or Consular Officer to the Senior Master of the Supreme Court of Judicature.

In case the authority to whom any Letter of Request is transmitted is not competent to execute it, such authority shall (except in cases where execution is refused in accordance with paragraph (f) of this Article) of his own motion forward the Letter of Request to the competent authority of the country of execution.

(d) The competent authority of the country of execution shall give effect to the Letter of Request and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country, except that if a wish that some special procedure should be followed is expressed in the Letter of Request, such special procedure shall be followed in so far as it is not incompatible with the law of the country of execution.

(e) The Diplomatic or Consular Officer, by whom the Letter of Request is transmitted, shall, if he so desires, be informed of the date when and the place where the proceedings will take place, in order that he may inform the

interested party or parties, who shall be permitted to be present in person or to be represented, if they so desire, by barristers or solicitors or by any representatives who are competent to appear before the courts either of the country of origin or of the country of execution.

(f) The execution of a Letter of Request which complies with the preceding provisions of this Article can only be refused:

(1) If the authenticity of the Letter of Request is not established;

(2) If, in the country of execution, the execution of the Letter of Request in question does not fall within the functions of the judiciary;

(3) If the High Contracting Party in whose territory it is to be executed considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where a Letter of Request is not executed by the authority to whom it is addressed, the latter will at once inform the Diplomatic or Consular Officer by whom it was transmitted stating the grounds on which the execution of the Letter of Request has been refused, or the competent authority to whom it has been forwarded.

(h) When a Letter of Request has been executed the competent authority to whom it was transmitted or forwarded shall send to the Diplomatic or Consular Officer by whom it was transmitted the necessary documents establishing its execution.

ARTICLE 8

(a) The provisions of Articles 6 and 7 in no way prejudice the right of taking evidence required by a judicial authority in the territory of one High Contracting Party in the territory of the other, without any request to or the intervention of the authorities of the country of execution by a person qualified to do so according to the law of the country of origin. Such person may be a Diplomatic or Consular Officer acting for the country of origin or any other suitable individual directly appointed for the purpose.

(b) It is understood that, where the method of taking evidence referred to in the preceding paragraph is employed, the procedure must be entirely voluntary and no measures of compulsion can be employed, and the admissibility of evidence so taken remains a matter for the determination of the respective courts of the High Contracting Parties in accordance with their law.

ARTICLE 9

The fact that an attempt to take evidence by the method laid down in Article 8 has failed owing to the refusal of any witness to appear or to give evidence does not preclude a request being subsequently made in accordance with Article 7.

ARTICLE 10

(a) Where evidence is taken in the manner provided in Article 7, the High Contracting Party, by whose judicial authority the Letter of Request was addressed, shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters, or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act, in cases where the law of the country of execution permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country of execution.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the Letter of Request has been executed from the Diplomatic or Consular Officer by whom it was transmitted when sending to him the documents establishing its execution as provided in Article 7 (h).

(c) Except as above provided no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

IV.—*Judicial Assistance for Poor Persons, Imprisonment for Debt and Security for Costs*

ARTICLE 11

The subjects or citizens of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects or citizens of that High Contracting Party as regards free judicial assistance for poor persons and imprisonment for debt; and provided that they are resident in the territory shall not be compelled to give security for costs in any case where a subject or citizen of such other High Contracting Party would not be so compelled.

V.—*General Provisions*

ARTICLE 12

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

ARTICLE 13

The present Convention, of which the Finnish* and Swedish* and English texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

ARTICLE 14

(a) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of the Colonies or Protectorates of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any territories under His suzerainty, nor to any Mandated territories in respect of which the mandate is exercised by His Government in the United Kingdom, but His Majesty may at any time, while this Convention is in force under Article 13, by a notification given through His Minister at Helsingfors, extend the operation of the Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service under Article 3 or Letters of Request under Article 7 are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be one month from the date of such notification.

* Not printed.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 13 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

ARTICLE 15

(a) The High Contracting Parties agree that His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, may at any time, while the present Convention is in force, either under Article 13 or by virtue of any accession under this Article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any other Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when the President of the Republic of Finland has given notice of termination in respect of all the territories of His Majesty to which the Convention applies. The provisions of Article 14 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the High Contracting Parties may, by giving six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 13 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in Finnish, Swedish and English texts, and have affixed thereto their seals.

Done in duplicate at London the 11th day of August, 1933.

(L.S.) ROBERT VANSITTART

(L.S.) G. A. GRIPENBERG

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CANADA

TREATY SERIES, 1936

No. 6

AGREEMENT

CONCERNING THE

EXCHANGE OF MONEY ORDERS

BETWEEN

CANADA

AND

JAPAN

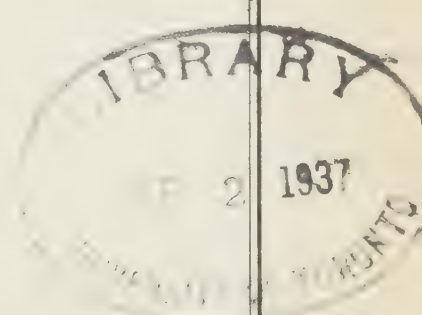
WITH DETAILED REGULATIONS

Signed at Ottawa December 20, 1935 and at Tokyo
the 24th day of the 8th month of the 10th
year of Showa (August 24, 1935)

IN FORCE MARCH 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937



Price, 25 cents.

AGREEMENT
CONCERNING THE
EXCHANGE OF MONEY ORDERS
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OTTAWA
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

(Translation)

AGREEMENT CONCERNING THE EXCHANGE OF MONEY ORDERS BETWEEN CANADA AND JAPAN

The Post Office Department of Canada and the Department of Communications of Japan, desiring to improve the Money Order service between the two countries, have agreed as follows:

ARTICLE 1

OBJECT OF THE AGREEMENT

The regular exchange of Money Orders is established between Canada and Japan.

ARTICLE 2

WORDING OF AMOUNT. RATE OF CONVERSION

The amount of each Order is expressed in the currency of the country of destination.

The Administration of each of the contracting countries shall fix the rate of conversion applicable to Money Orders issued in its own country.

ARTICLE 3

MAXIMUM AMOUNT

The maximum amount upon the issue of a Money Order shall be fixed by agreement between the Administrations of the two countries.

ARTICLE 4

CHARGES

The Administration of each of the contracting countries may fix the various charges it levies on Money Orders.

ARTICLE 5

EXCHANGE OFFICES

The exchange of Money Orders shall be effected exclusively through the medium of such exchange offices as shall be designated by the respective Administrations of the contracting countries.

ARTICLE 6

ADVICE OF ISSUE

Each of the contracting countries shall advise the other, by every mail for same, of the particulars of Money Orders issued, by means of lists or of lists accompanied by the relative documents.

ARTICLE 7

PAYMENT

Each of the contracting countries shall fix the domestic rates on Money Orders for the Money Orders notified in accordance with the provisions of the preceding article, and they shall be payable to the beneficiaries under the terms of its domestic regulations until the expiration of the twelfth month which follows that in which they are issued.

ARTICLE 8

ADVICE OF PAYMENT

The remitter of a Money Order may request an advice of payment at the time of remittance, or within two years following the month in which the money was deposited at the despatching office of origin.

ARTICLE 9

REFUND

The refund of a Money Order shall not be effected until the Administration of the country of destination has authorized same.

ARTICLE 10

LAPSED MONEY ORDERS

Money Orders refused, as well as those whose payees are unknown or have moved without leaving an address, are immediately returned, for refund to the senders, to the Administration of the country of origin, by the Administration of the country of destination. The same obtains in relation to Money Orders not claimed within the period of delay prescribed by Article 7.

ARTICLE 11

CLAIMS

The claim respecting the payment of a Money Order to a non-authorized person is allowed only within a period of two years following the month in which the remittance was made.

ARTICLE 12

RESPONSIBILITY

Amounts paid for Money Orders are, within the period prescribed by the legislation of the country of origin, guaranteed to the remitters until the Orders are duly paid.

Responsibility defined in the preceding paragraph rests with the Administration of the country of origin, except where the Administration of the country of destination is unable to prove that payment had been made in accordance with the regulations.

When a claim is not made within the period prescribed in the preceding article, the Administrations are no longer responsible for payment to a non-authorized person.

The Administrations are freed of all responsibility with respect to the Money Order service, when they are unable to render account for payment, by reason of the destruction of the service records, as the result of uncontrollable circumstances.

ARTICLE 13

APPORTIONMENT OF CHARGES

The Administration of each of the contracting countries shall, in respect to commissions collected on Money Orders, credit the other with a sum equivalent to four per thousand of Money Orders paid in the country of destination.

ARTICLE 14

ACCOUNTING

The country of origin shall forward to the country of destination, as soon as possible after the despatch of each list stipulated in Article 6, a draft covering the amount of the Money Orders included in the list. The amount of the last list forwarded during the month shall be included in the draft accompanying the monthly statement provided by the regulations.

ARTICLE 15

TEMPORARY SUSPENSION OF SERVICE

Should the Administration of one of the contracting countries suspend the exchange of Money Orders temporarily, either entirely or partially, by reason of extraordinary circumstances, it shall immediately give notice of such suspension, by telegram if necessary, to the other Administration.

ARTICLE 16

DETAILED REGULATIONS

The Administrations of the contracting countries may agree to draw up detailed regulations for the execution of the present agreement.

ARTICLE 17

ABROGATION OF AGREEMENTS PRIOR TO THE PRESENT ONE

The present agreement abrogates and supersedes the agreement signed at Ottawa on the 27th of June 1889, and at Tokio on the 16th day of the 5th month of the 22nd year of Meiji, and the supplementary agreement signed at Ottawa, on October 21, 1904, and at Tokio on the 19th day of the 9th month of the 37th year of the Meiji.

ARTICLE 18

ENTRY INTO FORCE OF AGREEMENT

The present agreement shall come into force from the day to be agreed upon by the Administrations of the two countries and shall remain in force until the expiration of six months after due notification given by one of the contracting countries of its intention to abrogate same.

Done in duplicate and signed at Ottawa, the 20th day of December, 1935, and at Tokio, the 24th day of the 8th month of the 10th year of Showa.

The Postmaster General of Canada

J. C. ELLIOTT

The Minister of Communications of Japan

TAKEJIRO TOKONAMI

(Translation)

DETAILED REGULATIONS OF THE AGREEMENT CONCERNING THE EXCHANGE OF MONEY ORDERS BETWEEN CANADA AND JAPAN

The undersigned by virtue of Article 16 of the Agreement concerning the exchange of Money Orders between Canada and Japan signed at Ottawa on the 20th day of December, 1935, and at Tokio on the 24th day of the 8th month in the 10th year of Showa, have adopted the following measures:

ARTICLE 1

EXCHANGE OFFICE

The Post Office at Vancouver is designated as the exchange office for Canada and the General Directorate of Money Order and Savings Bank Services at Tokio as the exchange office for Japan.

ARTICLE 2

MAXIMUM AMOUNT

The maximum amount of a Money Order shall be one hundred dollars in Canadian currency or the equivalent thereof in Japanese currency.

ARTICLE 3

ADVICE OF ISSUE

1. Advice of the issue of Money Orders by Canada shall be effected by means of lists similar to the annexed specimen B, accompanied by vouchers of the said Money Orders, and, those issued by Japan shall be notified by means of lists similar to the annexed specimen A.

These lists shall bear serial numbers and the Money Orders inscribed thereon shall bear international numbers, beginning with No. 1 each year.

2. The inscriptions on the lists or on the vouchers shall be written in Arabic numerals and in Roman characters.

The name and surname of the remitter and of the payee, or the name of the remitter or payee firm or company, as well as the address of the payee, shall be clearly and fully indicated.

3. The Money Order vouchers which are to be annexed to the Canadian lists must contain the following information:

The international number of the Money Order, the name of the issuing office, the number of the issue, the amount of the Money Order in the currency of the two countries, the name and address of the payee and the name of the remitter.

Should the remitter in Canada be familiar with the Japanese or Chinese characters he may enter, on an additional form, the name and address of the payee in Japanese or Chinese characters. This additional form shall be transmitted with the form prepared in accordance with the stipulations of paragraph 2.

4. When the remitter requests an advice of payment at the time of issue, in accordance with the provisions of Article 8 of the Agreement, such Money Orders shall be indicated on the list by the notation A.P. entered in the corresponding column.

5. The lists are to be forwarded only when there are Money Orders to be advised.

6. Should the lists or vouchers not reach the exchange office of destination, the despatching exchange office shall immediately forward, should the occasion arise, duly certified duplicates of the said lists or vouchers.

ARTICLE 4

PAYMENT DEFERRED

Whenever a list or voucher contains errors that cannot be corrected at the exchange office of destination and that office requests an explanation from the despatching exchange office it may defer payment of the said Money Orders until the desired information has reached it.

ARTICLE 5

ADVICE OF PAYMENT

When advice of payment is requested the country of origin shall transmit to the country where payment of the Money Order is to be effected a form similar or analogous to the annexed specimen C, containing all details of the corresponding Money Order. As regards the request made at the date of issue of the said Money Order, the form in question shall be annexed to the list on which the Money Order is entered.

The advice of payment, containing all details of payment, shall be transmitted directly to the remitter by the country where the payment was effected.

ARTICLE 6

CORRECTION OF ERRORS

Correction of errors in the name of the remitter or in the name and address of the payee must be made by request of each Postal Administration to the other.

ARTICLE 7

RETURN OF MONEY ORDERS

The Administration of destination shall, by means of itemized statements similar to the annexed specimen D, return by each mail, to the country of origin, the Money Orders to be repaid to the remitters, under the provisions of Articles 9 and 10 of the Agreement. The amount of these Money Orders shall be given in the currency of the country of destination.

ARTICLE 8

CLAIMS

All communications in connection with claims concerning Money Orders shall be effected through the two Postal Administrations.

ARTICLE 9

ACCOUNTS

Each Administration shall prepare, in duplicate, as soon as possible at the end of each month, the monthly account of Money Orders on a form similar to the annexed specimen E, and shall forward it to the Administration of destination together with a bill of exchange payable on sight or a cheque, for the amount due, drawn in favour of the country of destination.

As soon as the Administration of destination has received the account and other documents mentioned in the preceding paragraph, it shall remit copy of same together with its approval of the account and the acknowledgment of receipt of payment of its claim.

Any error or omission noted in the account shall be adjusted in the next account rendered.

ARTICLE 10

COMMUNICATIONS AND NOTICES

Each Administration must, at least one month before the Agreement goes into effect, communicate to or notify the other with respect to the following and thereafter advise it of any modification in relation to:

(a) the list of offices authorized to issue or pay Money Orders or the notice that all its offices participate in said service.

(b) the fee levied on Money Orders.

(c) the period of validity after which according to the regulations of the country, unclaimed Money Orders revert to the State.

Each Administration must notify the other of the conversion rates it has established and of any subsequent amendments thereto.

ARTICLE 11

ENTRY INTO FORCE OF THE DETAILED REGULATIONS

The present detailed regulations shall come into force on the same date as the Agreement concerning the exchange of Money Orders.

The present detailed regulations shall have the same duration as this Agreement, unless they are renewed by common accord of the Administrations of the contracting countries.

Done in duplicate and signed at Ottawa, on the 20th day of December, 1935, and at Tokio on the 24th day of the 8th month in the 10th year of Showa.

Postmaster General of Canada

J. C. ELLIOTT

Minister of Communications of Japan

TAKEJIRO TOKONAMI

ANNEXES¹

¹ Not printed.

Dr. Doc
571
132

CANADA
—
TREATY SERIES, 1936
No. 7

EXCHANGE OF NOTES
(April 6 and 13, 1936)

PROLONGING

FOR A PERIOD OF ONE YEAR THE
COMMERCIAL "MODUS VIVENDI" OF 1935

BETWEEN

CANADA

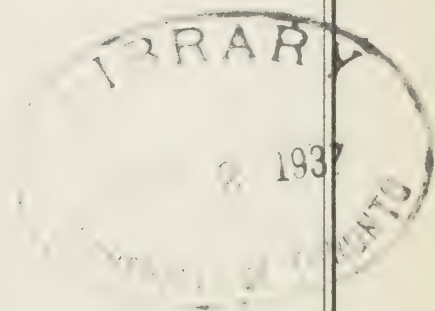
AND

HAYTI

IN FORCE APRIL 15, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937



EXCHANGE OF NOTES

(April 6 and 13, 1936)

PROLONGING

FOR A PERIOD OF ONE YEAR THE
COMMERCIAL "MODUS VIVENDI" OF 1935

BETWEEN

CANADA

AND

HAYTI

IN FORCE APRIL 15, 1936



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1937

**EXCHANGE OF NOTES (APRIL 6 AND 13, 1936) PROLONGING FOR
A PERIOD OF ONE YEAR THE COMMERCIAL "MODUS VIVENDI"
OF 1935 BETWEEN CANADA AND HAYTI**

*The British Minister at Port-au-Prince to the Secretary of State for Foreign
Affairs of Hayti*

BRITISH LEGATION

No. 221/70/36

PORT-AU-PRINCE, April 6, 1936.

SIR,—I had the honour on April 4th to leave with Your Excellency a draft of a proposed Commercial Treaty between the Governments of Canada and Hayti, which it is proposed should replace the existing "Modus Vivendi" between the two countries, which expires on April 15th.

2. As the negotiations for a Treaty are not likely to be completed by that date, I have the honour to confirm my statement to Your Excellency that His Majesty's Government in Canada is prepared to renew the "Modus Vivendi" for a further period of one year from April 15th, or until the entry into force of the proposed Commercial Treaty whichever is the earlier date.

3. If Your Excellency's Government is in accord with this proposal, the present note and Your Excellency's reply agreeing thereto may be taken as renewing the "Modus Vivendi" until April 15th, 1937, or until such earlier date as a Commercial Treaty between the Governments of Canada and Hayti shall come into force.

4. I avail myself of this opportunity to renew to Your Excellency the assurance of my high consideration.

F. M. SHEPHERD

(Translation)

*The Secretariat of State for Foreign Affairs of Hayti to the British Minister
at Port-au-Prince*

SECRETARIAT OF STATE FOR FOREIGN AFFAIRS

The Department of Foreign Relations presents its compliments to Mr. Shepherd and has the honour to inform him, pursuant to the desire expressed in his Note No. 221/70/36 of April 6, that the Government of Hayti agree to the renewal for one year of the "Modus Vivendi" expiring April 15, between Hayti and Canada, pending the signature between the two countries of the Commercial Treaty now being negotiated.

It is understood that such Treaty even if signed at an earlier date than April 15, 1937, will replace the present "Modus Vivendi."

Port-au-Prince, April 13, 1936.

FRED. DESTOUCHES
*Chief of Division
for the Secretary of State*

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CANADA

TREATY SERIES, 1936

No. 8

AGREEMENT

REGARDING

BRITISH WAR CEMETERIES, ETC., IN IRAQ

WITH

EXCHANGE OF NOTES RELATING THERETO

BETWEEN

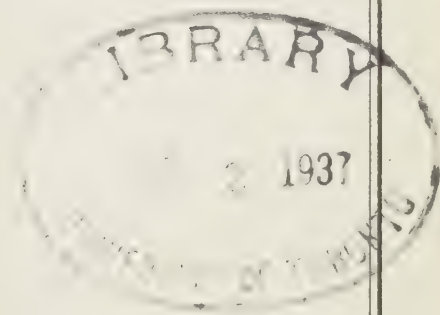
THE GOVERNMENTS OF THE UNITED KINGDOM,
CANADA, THE COMMONWEALTH OF AUSTRALIA,
NEW ZEALAND, THE UNION OF SOUTH AFRICA
AND OF INDIA

AND

THE GOVERNMENT OF IRAQ

Signed at Bagdad March 15, 1935

IN FORCE APRIL 25, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

Price, 25 cents.

AGREEMENT

REGARDING

BRITISH WAR CEMETERIES, ETC., IN IRAQ

WITH

EXCHANGE OF NOTES RELATING THERETO

BETWEEN

THE GOVERNMENTS OF THE UNITED KINGDOM,
CANADA, THE COMMONWEALTH OF AUSTRALIA,
NEW ZEALAND, THE UNION OF SOUTH AFRICA
AND OF INDIA

AND

THE GOVERNMENT OF IRAQ

Signed at Bagdad March 15, 1935

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OTTAWA
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AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED KINGDOM, CANADA, THE COMMONWEALTH OF AUSTRALIA, NEW ZEALAND, THE UNION OF SOUTH AFRICA, AND OF INDIA AND THE GOVERNMENT OF IRAQ REGARDING BRITISH WAR CEMETERIES, &C., IN IRAQ (WITH EXCHANGE OF NOTES)

Bagdad, March 15, 1935

The Governments of the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and India, on the one hand, and the Government of Iraq, on the other hand, being desirous of placing the permanence and care of the graves of British soldiers who fell in the late War and were interred in Iraqi territory, upon a firm and established basis, have agreed as follows:—

ARTICLE 1

In this agreement the expression “the Commission” means the Imperial War Graves Commission incorporated by Royal Charter granted by His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, on the twenty-first day of May, 1917.

The expression “war cemeteries, graves and memorials” means the cemeteries and graves in Iraqi territory containing the bodies of soldiers of the British Empire fallen in the late War, and the memorials in the said territory commemorating such soldiers, which are the subject of this agreement.

ARTICLE 2

The Government of Iraq confirm and continue the recognition accorded to the Commission, as communicated to His Majesty's High Commissioner by note of the Prime Minister of Iraq dated the 11th/12th March, 1928, as the sole British authority charged with the duty of perpetually caring for the war cemeteries, graves and memorials. For the purpose of carrying out this duty the Government of Iraq recognise the right of the Commission to act in Iraq as an association possessing the civil rights of a juristic person.

ARTICLE 3

The Government of Iraq agree that the Commission shall be represented in Iraq by a committee, named and composed as stated below, which shall be competent to perform in the name of the Commission, and within the limits of the powers which the Commission shall from time to time delegate to it, all civil acts necessary to enable it to fulfil its object.

The said Committee shall be called “The Iraq Committee of the Imperial War Graves Commission,” and shall be composed of the chief representative for the time being in Iraq of His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India (who shall be Chairman), and such six other persons as he may from time to time nominate in agreement with the Commission as members of the Committee.

The said Committee may, if considered necessary or desirable, be registered in Iraq as an association possessing the civil rights of a juristic person under the title above mentioned.

ARTICLE 4

The Government of Iraq agree that the lands now occupied by the war cemeteries, graves and memorials shall become the property in perpetuity of the Commission, and for that purpose—

- (a) such lands which are now registered otherwise than in the name of the Commission shall forthwith be registered in the name of the Commission;
- (b) such lands which are the property of the Government of Iraq shall be registered in the name of the Commission;
- (c) such lands which are the property of private owners shall, in default of acquisition by private agreement, be expropriated by the Government of Iraq at the request and cost of the Commission, and shall be registered in the name of the Commission;
- (d) any portion of the lands referred to in the preceding sub-paragraphs which is miri shall be made mulk;
- (e) in confirmation of the decision of the Council of Ministers at their meeting held on the 2nd February, 1924, approved by His Majesty the King of Iraq, no fees or stamp duties shall be charged in respect of any registration under this Article.

ARTICLE 5

The lands occupied by the war cemeteries, graves and memorials shall not, while in the ownership of the Commission for the objects contemplated in this agreement, be subject to any State or local taxation.

ARTICLE 6

The Government of Iraq agree that the Commission shall—

- (a) exercise full control over the war cemeteries, graves and memorials, including the enclosing, laying out, construction and horticultural treatment of the same;
- (b) be at liberty, should they think fit, to prepare and submit for the approval of the competent Ministers of State, rules governing visits to, and the behaviour of the public in, or in relation to, the war cemeteries, graves and memorials; and
- (c) be afforded by the Government of Iraq (but without expense to that Government) all possible facilities for obtaining a sufficient water supply for the proper irrigation and horticultural upkeep of the war cemeteries, graves and memorials.

ARTICLE 7

In confirmation of the decision of the Council of Ministers at their meeting held on the 2nd February, 1924, approved by His Majesty the King of Iraq, all stone, marble or other building material, tools, appliances and stores required by the Commission in the construction, repair, replacement or upkeep of the war cemeteries, graves and memorials shall, on production of certificates from the Commission's duly authorised representative, be admitted into Iraq free of all customs duties or dues.

ARTICLE 8

The Commission shall appoint the custodians to whom shall be entrusted the care and maintenance of the war cemeteries, graves and memorials, and such custodians may be persons of British nationality.

The Government of Iraq shall recognise such custodians and shall give them every assistance necessary for the safeguard and protection of the war cemeteries, graves and memorials.

ARTICLE 9

With regard to the Memorial to the "Missing" at Basra, the Government of Iraq undertake that they will not transfer any land between the boundary of the site of the said Memorial and the river, nor transfer any shati land which may appear, except by lease for agricultural purposes.

ARTICLE 10

This agreement shall come into force on the day of publication in the *Official Gazette** of the necessary enabling law.¹

In witness whereof the undersigned duly authorised thereto have signed the present agreement and affixed thereto their seals.

Done at Bagdad in duplicate on the 15th day of March, 1935.

For the Government of the United
Kingdom of Great Britain and
Northern Ireland:

(L.S.) F. H. HUMPHRYS

For the Government of Canada:

(L.S.) F. H. HUMPHRYS

For the Government of the Common-
wealth of Australia:

(L.S.) F. H. HUMPHRYS

For the Government of New Zealand:

(L.S.) F. H. HUMPHRYS

For the Government of the Union of
South Africa:

(L.S.) F. H. HUMPHRYS

For the Government of India:

(L.S.) F. H. HUMPHRYS

For the Government of Iraq:

(L.S.) NOURY SAID

¹ The agreement came into force on April 25, 1936.

Exchange of Notes

No. 1

Sir F. Humphrys to Nuri Pasha

BRITISH EMBASSY, BAGDAD, March 15, 1935.

YOUR EXCELLENCY,

For the purposes of the agreement signed this day between the Iraqi Government of the one part, and His Majesty's Governments in the United Kingdom, Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and the Government of India of the other, relative to the British War Cemeteries, Graves and Memorials in Iraqi Territory, it is understood that the registration of the immovable properties in question in the joint names of His Majesty's Governments concerned is to be regarded as equivalent to registration in the name of the Imperial War Graves Commission, and that the registrations already effected in the name of the Secretary of the Imperial War Graves Commission will be amended accordingly.

2. It is further understood that His Majesty's Governments on whose behalf the agreement has been signed will not take advantage of the final paragraph of Article 3 without receiving the specific consent of the Iraqi Government.

I avail, &c.

F. H. HUMPHRYS

No. 2

Nuri Pasha to Sir F. Humphrys

MINISTRY FOR FOREIGN AFFAIRS,

BAGDAD, IRAQ, March 15, 1935.

YOUR EXCELLENCY,

For the purposes of the agreement signed this day between the Iraqi Government of the one part, and His Majesty's Governments in the United Kingdom, Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and the Government of India of the other, relative to the British War Cemeteries, Graves and Memorials in Iraqi Territory, it is understood that the registration of the immovable properties in question in the joint names of His Majesty's Governments concerned is to be regarded as equivalent to registration in the name of the Imperial War Graves Commission, and that the registrations already effected in the name of the Secretary of the Imperial War Graves Commission will be amended accordingly.

2. It is further understood that His Majesty's Governments on whose behalf the agreement has been signed will not take advantage of the final paragraph of Article 3 without receiving the specific consent of the Iraqi Government.

I avail, &c.

NOURY SAID

CANADA

TREATY SERIES, 1936

No. 9

TRADE AGREEMENT

BETWEEN

CANADA

AND THE

UNITED STATES OF AMERICA

Signed at Washington November 15, 1935

Proclamation and Ratification exchanged at Ottawa May 14, 1936

ARTICLES I, III AND IV APPLIED ON AND AFTER
JANUARY 1, 1936

ENTIRE AGREEMENT IN FORCE MAY 14, 1936



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1937

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1937

TRADE AGREEMENT
BETWEEN
CANADA
AND THE
UNITED STATES OF AMERICA

Signed at Washington, November 15, 1935



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1935

Price, 25 cents.

TRADE AGREEMENT BETWEEN CANADA AND THE UNITED STATES OF AMERICA

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the President of the United States of America, being desirous of facilitating and extending the commercial relations existing between Canada and the United States of America by granting mutual and reciprocal concessions and advantages for the promotion of trade, have resolved to conclude a Trade Agreement as a step toward the lowering of the barriers impeding trade between their two countries, and for this purpose have through their respective Plenipotentiaries agreed upon the following Articles:

ARTICLE I

Canada and the United States of America will grant each other unconditional and unrestricted most-favoured-nation treatment in all matters concerning customs duties and subsidiary charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Accordingly, natural or manufactured products having their origin in either of the countries shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of Canada or the United States of America and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favour, privilege or immunity which has been or may hereafter be granted by Canada or the United States of America in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the United States of America or Canada, respectively, and irrespective of the nationality of the carrier.

ARTICLE II

Neither Canada nor the United States of America shall establish any prohibition or maintain any restriction on imports from the territory of the other country which is not applied to the importation of any like article originating in any third country. Any abolition of an import prohibition or restriction which may be granted even temporarily by either country in favour of an article of a third country shall be applied immediately and unconditionally to the like article originating in the territory of the other country. These provisions equally apply to exports.

In the event of quantitative restrictions being established by either Canada or the United States of America for the importation of any article it is agreed that in the allocation of the quantity of restricted goods which may be authorized for importation, the other country will be granted a share equivalent to the proportion of the trade which it enjoyed in a previous representative period prior to the establishment of such quantitative restrictions.

In all matters concerning the rules, formalities or charges imposed in connection with any form of quantitative restriction on the importation of any article, Canada and the United States of America agree to extend to each other every favour granted to a third country.

ARTICLE III

Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement, shall, on their importation into Canada, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of Canada in force on the day of the signature of this Agreement.

Schedule I and the notes included therein shall have full force and effect as integral parts of this Agreement.

ARTICLE IV

Articles the growth, produce or manufacture of Canada, enumerated and described in Schedule II annexed to this Agreement, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

Schedule II and the notes included therein shall have full force and effect as integral parts of this Agreement.

ARTICLE V

The provisions of Articles III and IV of this Agreement shall not prevent the Government of either country from imposing on the importation of any product a charge equivalent to an internal tax imposed on a like domestic product or on a commodity from which the imported product has been manufactured or produced in whole or in part.

ARTICLE VI

Articles the growth, produce or manufacture of Canada or the United States of America shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

The provisions of this Article in regard to granting of national treatment shall not affect the laws now in force in Canada whereby leaf tobacco, spirits,

beer, malt and malt syrup imported from abroad are subject to special taxes, nor shall they affect the applicability to goods produced or manufactured in the United States of America of special excise taxes imposed under existing provisions of the Special War Revenue Act. In these respects, however, most-favoured-nation treatment shall apply.

ARTICLE VII

No prohibitions, import or customs quotas, import licenses, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by Canada on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of Canada enumerated and described in Schedule II, except as specifically provided for in the said Schedules.

The foregoing provision shall not apply to quantitative restrictions in whatever form imposed by either country on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles, or tending to increase the labour costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this paragraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

ARTICLE VIII

In the event that Canada or the United States of America establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favourable terms.

ARTICLE IX

The tariff advantages and other benefits provided for in this Agreement are granted by Canada and the United States of America to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article.

ARTICLE X

In the event that a wide variation occurs in the rate of exchange between the currencies of Canada and the United States of America, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement; and if an agreement with respect thereto is not reached within thirty days following receipt of such proposal, the Government making such proposal shall be free to terminate this Agreement in its entirety on thirty days' written notice.

ARTICLE XI

In the event that the Government of either country adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

The Government of each country will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government will be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

ARTICLE XII

Nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies.

Subject to the requirement that there shall be no arbitrary discrimination by either country against the other country in favour of any third country where similar conditions prevail, the provisions of this Agreement shall not extend to prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison-made goods; (4) relating to the enforcement of police or revenue laws; (5) directed against mis-branding, adulteration, and other fraudulent practices, such as are provided for in the pure food and drug laws of either country; and (6) directed against unfair practices in import trade.

ARTICLE XIII

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by Canada and the United States of America, respectively, to the commerce of the other country, shall not apply to the Philippine Islands, the Virgin Islands, American Samoa, the Island of Guam or to the Panama Canal Zone.

The provisions of this Agreement regarding most-favoured-nation treatment shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of Canada or the United States of America, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories and possessions and the Panama Canal Zone exclusively to one another or the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

The advantages now accorded or which may hereafter be accorded by Canada exclusively to other territories under the sovereignty of His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, or under His Majesty's suzerainty or protection, shall be excepted from the operation of this Agreement.

ARTICLE XIV

The Government of each country reserves the right to withdraw or to modify the concession granted on any article under this Agreement, or to impose quantitative restrictions on any such article if, as a result of the extension of such concession to third countries, such countries obtain the major benefit of such concession and in consequence thereof an unduly large increase in importations of such article takes place: Provided, That before the Government of either country shall avail itself of the foregoing reservation, it shall give notice in writing to the other Government of its intention to do so, and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action and in respect of such compensatory modifications of the terms of the present Agreement as may be appropriate; and if an Agreement with respect thereto is not reached within thirty days following the receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

ARTICLE XV

The present Agreement shall be ratified by His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada and shall be proclaimed by the President of the United States of America.

The provisions of Article I and of Articles III and IV, respectively, shall, subject to the reservations and exceptions elsewhere provided for in this Agreement, be applied by Canada and the United States of America, on and after January 1, 1936, pending ratification of the Agreement in respect of Canada as provided in the first paragraph of this Article.

The entire Agreement shall come into force on the day of the exchange of the proclamation and ratification at Ottawa. The Agreement shall remain in force until December 31, 1938, subject to the provisions of Article VII, Article X and Article XIV.

Unless at least six months before December 31, 1938, the Government of either country shall have given to the other Government notice of intention to terminate the Agreement on that date, the Agreement shall remain in force thereafter, subject to the provisions of Article VII, Article X and Article XIV, until six months from such time as the Government of either country shall have given notice to the other Government.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, at the City of Washington, this fifteenth day of November, 1935.

For His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

[Seal]

W. L. MACKENZIE KING

*Prime Minister, President of the Privy
Council and Secretary of State for
External Affairs of the Dominion
of Canada.*

For the President of the United States of America:

[Seal]

CORDELL HULL

*Secretary of State of the United States
of America.*

SCHEDULE I

(See Article III)

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
10	Meats, prepared or preserved, other than canned:— (b) n.o.p.....per pound	3 cts.
Ex 47	Soya beans, n.o.p.....	Free
54a	Indian corn, not including Indian corn for purposes of distillation, when imported or taken out of warehouse by manufacturers of starch or of cereal products for human consumption, for use exclusively in the manufacture of starch or such cereal products, in their own factories, under regulations prescribed by the Minister.....	Free
55	Indian corn, n.o.p.....per bushel	20 cts.
57	Oatmeal and rolled oats.....per one hundred pounds	50 cts.
71a	Timothy seed.....per pound	1 ct.
Ex 73	Broom corn seed, when in packages weighing more than one pound each....	Free
Ex 74	Parsley seed, non-germinating, when in packages weighing more than one pound each, imported for use exclusively in manufacturing or blending operations.....	10 p.c.
Ex 75	Lettuce seed, non-germinating, when in packages weighing more than one pound each, imported for use exclusively in manufacturing or blending operations.....	10 p.c.
Ex 82 (e)	Nut trees, being seedling stock for grafting, and buds and scions for grafting such trees.....	Free
83(c)	Sweet potatoes in their natural state.....	Free
84	Onions, in their natural state, including onions grown with tops, shallots, and onion sets..... Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	30 p.c.
Ex. 85	Mushrooms, fresh..... Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	15 p.c.
87	Vegetables, fresh, in their natural state:— *(a) Asparagus..... *(b) Beans, green..... (c) Brussels sprouts..... *(d) Cabbage..... *(e) Carrots..... * Beets, n.o.p..... *(f) Cauliflower..... Eggplant.....	15 p.c. 15 p.c. 15 p.c. 15 p.c. 15 p.c. 15 p.c. 15 p.c. Free

SCHEDULE I—Continued

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	<p>*(g) Celery..... 15 p.c.</p> <p>*(h) Cucumbers..... 15 p.c.</p> <p>*(i) Lettuce..... 15 p.c.</p> <p>(j) Parsley..... 15 p.c.</p> <p>*(k) Peas, green..... 15 p.c.</p> <p>*(l) Rhubarb..... 15 p.c.</p> <p>*(m) Spinach..... 15 p.c.</p> <p>(n) Tomatoes..... 15 p.c. Provided that the duty under any tariff less favourable than the British Preferential tariff shall at no time be less than two cents per pound, the weight of the packages to be included in the weight for duty.</p> <p>(o) Watercress and whitloof or endive..... 15 p.c.</p> <p>* Peppers, green..... 15 p.c.</p> <p>Radishes..... 15 p.c.</p> <p>Artichokes..... Free</p> <p>Horseradish..... Free</p> <p>Okra..... Free</p> <p>(p) N.o.p..... 15 p.c.</p> <p>Provided that in respect of the goods dutiable under Tariff Item 87 no value for duty shall be established under the authority of Section 43 of the Customs Act except in the case of the sub-items indicated thus (*); and in no case shall any value so established exceed the invoice value by more than 80 per centum of the lowest advance imposed on like goods under the authority of said section during the calendar years 1933 to 1935, inclusive.</p>	
89	<p>Vegetables, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty:—</p> <p>(a) Beans, baked or otherwise prepared.....per pound 2 cts.</p> <p>(b) Corn and tomatoes.....per pound 2 cts.</p> <p>(c) Peas.....per pound 2 cts.</p> <p>(d) N.o.p..... 27½ p.c.</p>	
92	<p>Fruits, fresh, in their natural state:—</p> <p>*(a) Apricots..... 15 p.c.</p> <p>*(b) Cherries..... 15 p.c.</p> <p>(c) Cranberries..... 15 p.c.</p> <p>Provided that the duty under any tariff less favourable than the British Preferential tariff shall at no time be less than two cents per pound, the weight of the packages to be included in the weight for duty.</p> <p>*(d) Peaches..... 15 p.c.</p>	

SCHEDULE I—Continued

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	* (e) Pears.....	15 p.c.
	* (f) Plums or prunes.....	15 p.c.
	* (g) Strawberries.....	15 p.c.
	* Raspberries and loganberries.....	15 p.c.
	(h) Berries, edible, n.o.p.....	15 p.c.
	(i) Quinces and nectarines..... Provided that in respect of the goods dutiable under Tariff Item 92, no value for duty shall be established under the authority of Section 43 of the Customs Act except in the case of the sub-items indicated thus (*); and in no case shall any value so established exceed the invoice value by more than 80 per centum of the lowest advance imposed on like goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	15 p.c.
93	Apples, fresh, in their natural state..... Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	15 p.c.
94	Grapes, fresh, in their natural state, the weight of the packages to be included in the weight for duty.....per pound Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	1½ cts.
95	Cantaloupes and muskmelons..... Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	15 p.c.
95a	Melons, n.o.p.....each	2½ cts.
96	Fruits, fresh, in their natural state, n.o.p.....	15 p.c.
Ex. 96	Avocados or alligator pears.....	Free
100a	Grapefruit, n.o.p.....per pound	½ ct.
Ex. 101	Oranges, during the months of January, February, March and April.....	Free
101a	Lemons.....	Free
Ex. 105b	Olives, ripe, in brine, not bottled.....	10 p.c.
106	Fruits, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty:— (a) Apricots, peaches and pears.....per pound (b) Pineapples.....per pound (c) N.o.p.....per pound	4 cts. 4 cts. 4 cts.
Ex. 109	Nuts of all kinds, n.o.p., but not including shelled peanuts, n.o.p. .per pound	1 ct.
Ex. 114	Nuts, shelled, n.o.p., but not including shelled almonds, peanuts or wal- nuts.....per pound	2 cts.
116	Halibut, fresh, pickled or salted.....per pound	1 ct.

SCHEDULE I—Continued

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
Ex. 123	Lobsters, prepared or preserved.....	Free
Ex. 123a	Shrimps in sealed containers.....	27½ p.c.
124	Oysters, shelled, in bulk.....per gallon.	5 cts.
Ex. 133	Lobsters, fresh.....	Free
Ex. 133	Scallops, fresh but not frozen.....	Free
Ex. 169 184b 184c 184d	Periodical publications, unbound or paperbound, printed and issued in the United States at regular intervals, not less frequently than four times a year, and bearing dates of issue..... Provided, that nothing in this Item shall affect in any way the provisions of Item 1201 of Schedule "C" to the Customs Tariff.	Free
Ex. 174	Tourist literature, printed and issued in the United States by Federal or State Governments or departments thereof, boards of trade, chambers of commerce, municipal and automobile associations, and similar organizations or associations.....	Free
178a	Provided, that on the goods specified in Item 178 and imported by mail, duties may be paid by customs revenue stamps, under regulations by the Minister, at the rates specified in said Item, except that on each separate package weighing not more than one ounce, the duty shall be.....each	2 cts.
181a	Pictorial post cards, greeting cards and similar artistic cards or folders....	32½ p.c.
184	Newspapers, unbound, n.o.p.; tailors', milliners' and mantle-makers' fashion plates, when imported in single copies in sheet form with periodical trade journals; magazines published in other than the English or the French language.....	Free
187	Albumenized and other papers and films chemically prepared for photographers' use, n.o.p.....	25 p.c.
195	Paper hanging or wall papers, including borders or bordering	32½ p.c.
196	Newsprinting paper and all printing paper, in sheets and rolls, valued at not more than two and one-quarter cents per pound.....	Free
197	Paper of all kinds, n.o.p.....	22½ p.c.
197a	Super-calendared or machine finish grades of book paper, not coated, when used exclusively in the production of magazines, newspapers and periodicals, printed, published or issued regularly, under regulations prescribed by the Minister.....	22½ p.c.
199	Papeteries, envelopes, and all manufactures of paper, n.o.p.....	30 p.c.
210	Peroxide of soda; silicate of soda in crystals or in solution; bichromate of soda; nitrate of soda or cubic nitre, n.o.p.; sulphide of sodium; nitrite of soda; arseniate, binarseniate, chlorate, bisulphite and stannate of soda; prussiate of soda and sulphite of soda.....	15 p.c.
213	Acetic acid, containing by weight more than 65 per centum of acetic acid per pound	1¼ cts.
236	Surgical dressings, antiseptic or aseptic, including absorbent cotton, lint, lamb's wool, tow, jute, oakum, woven fabric of cotton weighing not more than seven and one-half pounds per one hundred square yards, whether imported singly or in combination one with another, but not stitched or otherwise manufactured; surgical trusses and suspensory bandages of all kinds; sanitary napkins, spinal braces and abdominal supports.....	25 p.c.
239	Lamp black, carbon black, ivory black and bone black.....	Free
256	Printing Ink.....	17½ p.c.

SCHEDULE I—Continued

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
263	Compounds of tetraethyl lead, in which tetraethyl lead is the preponderant constituent by weight.....	5 p.c.
281	Fire brick containing not less than ninety per cent of silica; magnesite fire brick or chrome fire brick; other fire brick valued at not less than one hundred dollars per one thousand, rectangular shaped, the dimensions of each not to exceed one hundred and twenty-five cubic inches, for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment.....	Free
281a	Fire brick, n.o.p., of a class or kind not made in Canada, for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment.....	12½ p.c.
282	Building brick and paving brick.....	20 p.c.
305	Flagstone, sandstone and all building stone, not hammered, sawn or chiselled, and marble and granite, rough, not hammered or chiselled.....	12½ p.c.
306	Marble, sawn or sand-rubbed, not polished; granite, sawn; paving blocks of stone; flagstone and building stone, other than marble or granite, sawn on not more than two sides.....	20 p.c.
Ex. 326a	Articles of glass, not plate or sheet, designed to be cut or mounted.....	10 p.c.
345	Zinc dust, strip and sheets; zinc plates for marine boilers; sal ammoniac skimmings and seamless drawn tubing of zinc.....	Free
350	Wire of all metals and kinds, n.o.p.....	30 p.c.
351	Wire, single or several, covered with any material, including cable so covered, n.o.p.....	27½ p.c.
Ex. 362	Electro-plated ware, n.o.p.....	30 p.c.
367	Watch cases, and parts thereof, finished or unfinished.....	35 p.c.
388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zeos, and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including interlocking sections, if any, used therewith, n.o.p..... per ton	\$3.00
394	Axles and axle bars, n.o.p., and axle blanks, and parts thereof, of iron or steel:—	
	(b) For other vehicles, n.o.p.....	30 p.c.
400	Fittings, of iron or steel, of every description, for iron or steel pipes and tubes	27½ p.c.
402a	Woven or welded wire fencing, of iron or steel, coated or not, n.o.p.; wire cloth or wire netting, of iron or steel, coated or not.....	30 p.c.
407a	Chains, of iron or steel, n.o.p., and complete parts thereof.....	30 p.c.
409b	Cultivators, harrows, seed-drills, horse-rakes, horse-hoes, scufflers, manure spreaders, garden seeders, weeders, and complete parts of all the foregoing.....	12½ p.c.
409c	Ploughs; farm, field, lawn or garden rollers; soil packers; complete parts of all the foregoing.....	12½ p.c.
409d	Mowing machines, harvesters, either self-binding or without binders, binding attachments, reapers, harvesters in combination with threshing machine separators including the motive power incorporated therein, and complete parts of all the foregoing.....	12½ p.c.

SCHEDULE I—Continued

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
409e	(i) Spraying and dusting machines and attachments therefore, including hand sprayers; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; animal dehorning instruments; and complete parts of all the foregoing..... (ii) Fruit and vegetable grading, washing and wiping machines and combination bagging and weighing machines, and complete parts therefor.....	12½ p.c. 5 p.c.
409 f	Hay loaders, hay tedders, potato planters, potato diggers, fodder or feed cutters, ensilage cutters, grain crushers and grain or hay grinders, for farm purposes only, post hole diggers, snaths, stumping machines and all other agricultural implements or agricultural machinery, n.o.p., and complete parts of all the foregoing.....	12½ p.c.
409 g	Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all the foregoing.....	12½ p.c.
409 h	Hay presses and complete parts thereof.....	12½ p.c.
409 i	Scythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks, rakes, n.o.p.....	12½ p.c.
409 j	Fanning mills; peaviners; corn husking machines; threshing machine separators, including wind stackers, baggers and self-feeders therefor; complete parts of all foregoing.....	12½ p.c.
409 k	Windmills and complete parts thereof, not including shafting.....	12½ p.c.
Ex. 409 l Ex. 427	Traction ditching machines (not being ploughs) and complete parts thereof.	Free
Ex. 409 m Ex. 409 n Ex. 428	Internal combustion traction engines; traction attachments designed to be combined with automobiles in Canada for use as traction engines; complete parts of all the foregoing.....	Free
409 n	Portable engines with boilers, in combination, for farm purposes; horse powers; complete parts of all the foregoing.....	15 p.c.
Ex. 409 q	Complete parts for repairs, under regulations prescribed by the Minister:— Ex. (i) For the machinery enumerated in tariff item 409 e (ii)..... (v) For the machinery enumerated in tariff item 409 k.....	5 p.c. 10 p.c.
410 l	Ore crushers, rock crushers, stamp mills, grinding mills, rock drills, percussion coal cutters, coal augers, rotary coal drills, n.o.p., and complete parts of all the foregoing, for use exclusively in mining, metallurgical or quarrying operations.....	20 p.c.
411a	Machinery, logging cars, cranes, blocks and tackle, wire rope, but not including wire rope to be used for guy ropes or in braking logs going down grade, and complete parts of all the foregoing, for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump, or common or other carrier.....	15 p.c.
412a	Machinery and apparatus, n.o.p., viz.: gun and mould apparatus for making press rollers; machines and apparatus for making electrotypes and stereotypes, engraving machines, photo-engraving apparatus, machines for graining metal plates, machines for sensitizing metal plates, machines and apparatus for transferring by photographic processes to plates or rolls for use in lithography, rotogravure and printing, machines for addressing and wrapping newspapers, magazines, periodicals, pamphlets and catalogues, and machines for embossing, bookbinding, bronzing, creasing, scoring, cutting, perforating, punching, gathering, gumming, pasting, jogging, numbering, patching, slitting, rewinding, ruling, sheet-piling, stitching, stripping or varnishing, when for use exclusively by printers, book-binders, manufacturers of stereotypes, electrotypes and printing plates or rolls, paper converters, and by manufacturers of articles made from paper or cardboard; and complete parts of all the foregoing not to include saws, knives, and motive power.....	5 p.c.

SCHEDULE I—Continued

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
412b	Flat bed cylinder printing presses, to print sheets of a size 25 by 38 inches or larger, and complete parts thereof; machines designed to fold or sheet-feed paper or cardboard, and complete parts thereof.....	10 p.c.
412c	Typesetting and typesetting machines and parts thereof for use in printing offices.....	Free
412d	Offset presses; lithographic presses; printing presses and type making accessories therefor, n.o.p.; complete parts of the foregoing, not to include saws, knives and motive power.....	10 p.c.
413	Machinery and apparatus, of a class or kind not made in Canada, and parts thereof, specially constructed for preparing, manufacturing, testing or finishing yarns, cordage, and fabrics made from textile fibres or from paper, imported for use exclusively by manufacturers and scholastic or charitable institutions in such processes only.....	5 p.c.
414c	Adding, bookkeeping, calculating and invoicing machines and complete parts thereof, n.o.p.....	20 p.c.
415	Electric vacuum cleaners and attachments therefor; hand vacuum cleaners; and complete parts of all the foregoing, including suction hose, n.o.p....	20 p.c.
415a	Refrigerators, domestic or store, completely equipped or not:— (i) electric.....	30 p.c.
415b	Washing machines, domestic, with or without motive power incorporated therein; complete parts of washing machines.....	25 p.c.
424	Fire engines and other fire extinguishing machines and chassis for same; complete parts of the foregoing, n.o.p.....	30 p.c.
424a	Hand fire extinguishers, and sprinkler heads for automatic sprinkler systems for fire protection.....	30 p.c.
Ex. 427	Machinery and apparatus for operating oil-sands by mining operations and for extracting oil from the sands so mined; complete parts of the foregoing	Free
Ex. 427	Combination fish-preparing machines, designed for heading, finning, splitting, gutting and cleaning fish; complete parts of the foregoing.....	10 p.c.
Ex. 427	Motor-driven combination units, comprising sprinklers, front and side sweepers and gatherers, for use in sweeping or cleaning streets or highways.....	Free
Ex. 427	Machinery and apparatus enumerated in Tariff Item 412a, when for use by manufacturers of articles made from regenerated cellulose or cellulose acetate; complete parts of such machinery and apparatus, not to include saws, knives, and motive power.....	5 p.c.
Ex. 427 Ex. 446a et al	Motion picture projectors, arc lamps for motion picture work, motion picture or theatrical spot lights, light effect machines, motion picture screens, portable motion picture projectors complete with sound equipment; complete parts of all the foregoing, not to include electric light bulbs, tubes, or exciter lamps.....	15 p.c.
Ex. 427	Veneer-drying machines, and complete parts thereof.....	5 p.c.
Ex. 427	Bakery machinery and apparatus, viz.:—Combined suction-type sack cleaner and dust collector; flow meters with automatic or manual control for measuring of water; dough dividers, five-pocket capacity of 100 pieces per minute to eight-pocket capacity of 160 pieces per minute; combination mechanical eight-pocket roll divider and rounder, when combined with overhead dry bun proofer; adjustable roll moulder, with capacity of 100 rolls per minute; mechanical tray-type final steam proofer; trough elevators; automatic tray-type bread coolers; automatic pan-greasing machines; automatic measuring-knife type cake depositors; automatic bread-wrapping machines; automatic bread-slicing machines; automatic wafer-making machines; rotary biscuit-moulding machines;	

SCHEDULE I—Continued

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	automatic steel hand biscuit plant, including combination rotary moulding and cutting machine, automatic tunnel-type travelling-band biscuit oven with cooler, and automatic biscuit stacking machine with packing table; steam-tube heated draw-plate ovens of one or two decks; travelling tray ovens, single or double lap; travelling tunnel-type ovens, with plate, chain, rod or wire-mesh conveyor; synchronized oven feeders; and complete parts of the foregoing.....	15 p.c.
Ex. 427	Milk clarifiers and complete parts thereof.....	Free
Ex. 427 Ex. 446a	Wire stitchers and staplers, either hand or power type, but not including motive power; complete parts of the foregoing.....	5 p.c.
Ex. 427	All machinery composed wholly or in part of iron or steel, n.o.p., of a class or kind not made in Canada; complete parts of the foregoing.....	20 p.c.
427	All machinery composed wholly or in part of iron or steel, n.o.p., and complete parts thereof.....	25 p.c.
427b	Ball and roller bearings.....	27½ p.c.
428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p.....	25 p.c.
432b	Hollow-ware, of iron or steel, coated with vitreous enamel.....	30 p.c.
432d	Manufactures of tinplate, painted, japanned, decorated or not, and manufactures of tin, n.o.p.....	27½ p.c.
438g	Motor cycles or side cars therefor, and complete parts of the foregoing.....	20 p.c.
439c	Farm wagons, farm sleds, logging wagons, logging sleds, and complete parts thereof.....	15 p.c.
443	Apparatus designed for cooking or for heating buildings:— (1) For coal or wood..... (2) For gas..... (3) For electricity..... (4) For oil..... (5) N.o.p.....	25 p.c. 25 p.c. 25 p.c. 25 p.c. 25 p.c.
445c	(i) Electric telegraph apparatus and complete parts thereof..... (ii) Electric telephone apparatus and complete parts thereof.....	25 p.c. 25 p.c.
445d	Electric wireless or radio apparatus and complete parts thereof.....	25 p.c.
445f	Electric dynamos or generators and transformers, n.o.p., and complete parts thereof.....	30 p.c.
445g	Electric motors, n.o.p., and complete parts thereof.....	30 p.c.
Ex. 446a	Locomotive beds or frames of steel, cast in one piece; tender frames of steel, cast in one piece; cast steel cradles for the rear ends of locomotive frames; cast steel truck frames and bolsters for engines, tenders and passenger coaches; platform castings for passenger coaches; all the foregoing, whether in the rough or semi-manufactured, for use on railway rolling stock.....	20 p.c.
446a	Manufactures, articles or wares, of iron or steel or of which iron or steel or both are the component materials of chief value, n.o.p.....	25 p.c.
500	Logs and round unmanufactured timber, handle, heading, stave and shingle bolts, n.o.p.; firewood, hop poles, fence posts and railway ties.....	Free
502	Mexican saddle trees and stirrups of wood, treenails; hub, last, wagon, oar and gun blocks, and all like blocks or sticks, rough hewn, or sawn only; felloes of hickory or oak, not further manufactured than rough sawn or bent to shape; staves of oak, sawn, split or cut, not further manufactured than listed or jointed; shingles of wood; spokes of hickory or oak, not further manufactured than rough turned, and not tenoned, mitred or sized, and scale board for cheese.....	Free

SCHEDULE I—Concluded

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
503	Planks, boards, clapboards, laths, plain pickets and other timber or lumber of wood, not further manufactured than sawn or split, whether creosoted, vulcanized, or treated by any other preserving process, or not.....	Free
504	Planks, boards and other lumber of wood, sawn, split or cut, and dressed on one side only, but not further manufactured.....	Free
505	Sawn boards, planks and deals planed or dressed on one or both sides, when the edges thereof are jointed or tongued and grooved.....	20 p.c.
506	Manufactures of wood, n.o.p.....	20 p.c.
520	Raw cotton and cotton linters not further manufactured than ginned; rags and waste wholly of cotton unfit for use without further manufacture, not to include used garments nor waste portions of unused fabrics.....	Free
573	Enamelled carriage, floor, shelf and table oilcloth, linoleum, and cork matting or carpets.....	32½ p.c.
578	Regalia, badges and belts of all kinds, n.o.p.....	30 p.c.
Ex. 598a	Brass band instruments, of a class or kind not made in Canada.....	25 p.c.
599	Hides and skins, raw, whether dry, salted, or pickled; and raw pelts.....	Free
601	Fur skins of all kinds, not dressed in any manner.....	Free
624a	(i) Dolls; toys of all kinds, n.o.p.....	30 p.c.
	(ii) Mechanical toys of metal.....	30 p.c.
	(iii) Juvenile construction sets of metal, consisting of various stampings, punched, and connections therefor; parts of the foregoing.....	30 p.c.
654	Bristles, broom corn, and hair brush pads.....	Free
663	Fertilizers, compounded or manufactured, n.o.p.....	7½ p.c.
Ex. 711	Rapeseed oil, blown, when for manufacturing purposes.....	Free

SCHEDULE II

(See Article IV)

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
	<p>NOTE: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined, in so far as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 or the section of the Revenue Act of 1932 noted in the column at the left of the respective descriptions of articles.</p> <p>In the case of articles enumerated in this Schedule, which are subject on the day of the signature of this Agreement to additional or separate ordinary customs duties, whether or not imposed under the statutory provision noted in the column at the left of the respective description of the article, such separate or additional duties shall continue in force, subject to any reduction indicated in this Schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.</p>	
1	Acetic acid containing by weight more than 65 per centum of acetic acid.....	1½ cts. per lb.
2	Vinyl acetate, polymerized or unpolymerized, and synthetic resins made in chief value therefrom, not specially provided for.....	3 cts. per lb. and 15% <i>ad val.</i>
11	Synthetic resins made in chief value from vinyl acetate, not specially provided for.....	3 cts. per lb. and 15% <i>ad val.</i>
29	Cobalt oxide.....	10 cts. per lb.
52	Sperm oil, crude.....	2½ cts. per gal.
71	Acetylene black, dry or ground in or mixed with oil or water, and not specially provided for.....	15% <i>ad val.</i>
201 (a)	Fire brick, not specially provided for.....	15% <i>ad val.</i>
203	Limestone (not suitable for use as monumental or building stone), crude, or crushed but not pulverized.....	2½ cts. per 100 lbs.
203	Lime, not specially provided for.....	7 cts. per 100 lbs., including the weight of the container.
203	Hydrated lime.....	8 cts. per 100 lbs., including the weight of the container.
207	Crude feldspar.....	35 cts. per ton
209	Talc, steatite or soapstone: Ground, washed, powdered, or pulverized (except toilet preparations), valued at not over \$12.50 per ton.....	25% <i>ad val.</i>
214	Dead-burned basic refractory material containing 6 per centum or more of lime and consisting chiefly of magnesia and lime	27½% <i>ad val.</i>
	<p>NOTE: The existing customs classification treatment of the merchandise described in this item as provided for in paragraph 214, Tariff Act of 1930, in accordance with the ruling announced in Treasury Decision 45041 (60 Treasury Decisions 114) shall be continued during the effective period of this Agreement.</p>	

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
302 (d)	Ferromanganese containing not less than 4 per centum of carbon, on the metallic manganese contained therein....	$\frac{3}{8}$ cts. per lb., plus $1\frac{1}{4}$ times the lowest rate of ordinary customs duty provided for manganese ore containing in excess of 10 per centum of metallic manganese the product of any foreign country except Cuba, at the time such ferromanganese is entered, or withdrawn from warehouse, for consumption; but not more than $1\frac{5}{8}$ cents per pound.
302 (i)	Ferro silicon, containing 8 per centum or more of silicon and less than 30 per centum.....	$1\frac{1}{2}$ cts. per lb. on the silicon contained therein.
302 (m)	Ferrotitanium, ferrovanadium, and ferrouanium.....	15% <i>ad val.</i>
353	Cooking stoves and ranges, having as an essential feature an electrical heating element, and parts thereof; any of the foregoing, finished or unfinished, wholly or in chief value of metal, and not specially provided for.....	25% <i>ad val.</i>
401	Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; sawed lumber and timber not specially provided for; all the foregoing, if of fir, spruce, pine, hemlock, or larch.... Provided, That any of the foregoing sawed timber and lumber of Douglas fir or Western hemlock entered, or withdrawn from warehouse, for consumption, in any calendar year after 1935 in excess of an aggregate quantity of 250,000,000 feet, board measure, shall not be subject to this provision.	50 cts. per thousand feet, board measure.
402	Maple (except Japanese maple), birch, and beech: Flooring..	4% <i>ad val.</i>
412	Ice-hockey sticks, wholly or in chief value of wood....	20% <i>ad val.</i>
503	Maple sugar.....	4 cts. per lb.
701	Cattle, weighing less than 175 pounds each.....	$1\frac{1}{2}$ cts. per lb.
	Cattle, weighing 700 pounds or more each and not specially provided for.....	2 cts. per lb.
	Cows, weighing 700 pounds or more each and imported specially for dairy purposes.....	$1\frac{1}{2}$ cts. per lb.
	Provided, That none of the foregoing entered, or withdrawn from warehouse, for consumption in excess of the quantities respectively specified below in any calendar year after 1935 shall be subject to the above provisions:	
	Cattle, weighing less than 175 pounds each: $\frac{1}{4}$ of 1 per centum of the average annual total number of cattle (including calves) slaughtered in the United States during the calendar years 1928 to 1932, both inclusive, (51,933 head).	
	Cattle, weighing 700 pounds or more each and not specially provided for: $\frac{3}{4}$ of 1 per centum of the average annual total number of cattle (including calves) slaughtered in the United States during the calendar years 1928 to 1932, both inclusive, (155,799 head).	
	Cows, weighing 700 pounds or more each and imported specially for dairy purposes: (20,000 head).	

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
707	Cream, fresh or sour..... <i>Provided, That fresh or sour cream entered for consumption in excess of 1,500,000 gallons in any calendar year after 1935 shall not be subject to this provision.</i>	35 cts. per gal.
710	Cheddar cheese in original loaves.....	5 cts. per lb., but not less than 25% <i>ad</i> <i>val.</i>
711	Birds, live: Chickens, ducks, geese, turkeys, and guineas.....	4 cts. per lb.
712	Birds, dead, dressed or undressed, fresh, chilled, or frozen: chickens and guineas.....	6 cts. per lb.
714	Horses, unless imported for immediate slaughter, valued at not more than \$150 per head.....	\$20 per head
717(a)	Fish, fresh or frozen (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed): Halibut..... Salmon..... Swordfish (not including naturally or artificially frozen swordfish).... Eels..... Chubs, fresh-water mullet (<i>catostomus</i>), jacks, lake trout, saugers, tullibees, whitefish, and yellow pike.....	1 cent per lb. 1½ cts. per lb. 1½ cts. per lb. ½ ct. per lb. ¾ cts. per lb.
719	Fish, pickled or salted (except fish packed in oil or in oil and other substances and except fish packed in air-tight containers weighing with their contents not more than 15 pounds each): Salmon..... Alewives in bulk or in immediate containers weighing with their contents more than 15 pounds each.....	20% <i>ad val.</i> ¾ cts. per lb. net weight
720(a)	Smoked herring (except herring packed in oil or in oil and other substances and except herring packed in airtight containers weighing with their contents not more than 15 pounds each): Hard dry-smoked, when whole or beheaded, but not further advanced..... Boned, whether or not skinned.....	⅝ cts. per lb. 1½ cts. per lb.
721(b)	Razor clams (<i>siliqua patula</i>), packed in air-tight containers.....	15% <i>ad val.</i>
726	Hulled oats, unfit for human consumption.....	8 cts. per bu. of 32 lbs.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
729	Wheat, unfit for human consumption.....	10% <i>ad val.</i>
730	Bran, shorts, by-product feeds obtained in milling wheat or other cereals.....	10% <i>ad val.</i>
730	Mixed feeds, consisting of an admixture of grains or grain products with oil cake, oil-cake meal, molasses, or other feedstuffs.....	10% <i>ad val.</i>
731	Screenings, scalplings, chaff, or scourings of wheat, flaxseed, or other grains or seeds: Unground, or ground.....	10% <i>ad val.</i>
732	Cereal breakfast foods, and similar cereal preparations, by whatever name known, processed further than milling, and not specially provided for.....	15% <i>ad val.</i>
734	Apples, green or ripe.....	15 cts. per bu. of 50 lbs.
736	Strawberries in their natural condition or in brine.....	$\frac{3}{4}$ cts. per lb.
736	Blueberries, prepared or preserved, or frozen, but not in brine and not dried, desiccated, or evaporated, and not specially provided for.....	25% <i>ad val.</i>
737(1)	Cherries in their natural state.....	1 ct. per lb.
763	Grass seeds and other forage crop seeds:	
	Alfalfa.....	4 cts. per lb.
	Alsike clover.....	4 cts. per lb.
	Sweet clover.....	2 cts. per lb.
	Timothy.....	1 ct. per lb.
	Bluegrass.....	2 $\frac{1}{2}$ cts. per lb.
769	Peas, green or unripe, when imported and entered for consumption during the period from July 1 to September 30, inclusive, in any year.....	2 cts. per lb.
771	White or Irish seed potatoes, certified by a responsible officer or agency of a foreign Government in accordance with the official rules and regulations of that Government to have been grown and approved especially for use as seed, in containers marked with the foreign Government's official certified seed potato tags, when entered for consumption during the period From December 1 to the last day of the following February, inclusive, in any years..... From March 1 to November 30, inclusive, in any year... Provided, That such potatoes entered for consumption in excess of an aggregate quantity of 750,000 bushels of 60 pounds each in the twelve-month period beginning on December 1 in any year shall not be subject to this provision.	60 cts. per 100 lbs. 45 cts. per 100 lbs.
773	Turnips and rutabagas.....	12 $\frac{1}{2}$ cts. per 100 lbs.
779	Hay.....	\$3 per ton of 2,000 lbs.
802	Whiskey of all types and classes..... Provided, That this provision shall not apply to any whiskey consisting in whole or in any part of distilled spirits which have not been aged in wooden containers at least four years prior to the date the whiskey is entered, or withdrawn from warehouse, for consumption.	\$2.50 per proof gal.
1402	Pulpboard in rolls for use in the manufacture of wallboard, not plate finished, supercalendered or friction calendered, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, decorated or ornamented in any manner, nor cut into shapes for boxes or other articles and not specially provided for.....	5% <i>ad val.</i>
1413	Pulpboard in rolls for use in the manufacture of wallboard, surface stained or dyed, lined or vat-lined, embossed, or printed.....	15% <i>ad val.</i>

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
1502	Lacrosse sticks.....	15% <i>ad val.</i>
1502	Ice skates and parts thereof.....	15% <i>ad val.</i>
1530(b)	Leather (except leather provided for in sub-paragraph (d) of paragraph 1530), made from hides or skins of cattle of the bovine species:	
	(3) Leather to be used in the manufacture of harness or saddlery.....	10% <i>ad val.</i>
	(4) Patent leather, rough, partly finished, or finished, or cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear.....	10% <i>ad val.</i>
1541(a)	Pipe organs or pipe organ player actions and parts thereof especially designed and constructed for installation and use in a particular church, or in a particular public auditorium at which it is not customary to charge an admission fee, which are imported for that specific use, and which are so installed and used within one year from the date of importation.....	25% <i>ad val.</i>
1601	Sulphuric acid or oil of vitriol.....	Free
1604	Agricultural implements: Plows, tooth or disk harrows, headers, harvesters, reapers, combination harvesting and threshing machines, agricultural drills and planters, mowers, horse-rakes, and cultivators, whether in whole or in parts, including repair parts.....	Free
1616	Asbestos, unmanufactured, asbestos crudes, fibers, stucco, and sand and refuse containing not more than 15 per centum of foreign matter.....	Free
1641	Calcium: Cyanamid or lime nitrogen.....	Free
1652	Cobalt and cobalt ore.....	Free
1667	Sodium cyanide.....	Free
1672	Crude artificial abrasives, not specially provided for.....	Free
1681	Furs and fur skins, not specially provided for, undressed: Mink, beaver, muskrat, and wolf.....	Free
1716	Wood pulp: Mechanically ground and soda, unbleached or bleached; and sulphite, bleached.....	Free
1734	Nickel ore, nickel matte, and nickel oxide.....	Free
1743	Plaster rock (including anhydrite) and gypsum, crude..... Note: The existing customs classification treatment of gypsum which has been broken merely for the purpose of facilitating its shipment to the United States, as "crude" in accordance with the decision of the United States Court of Customs and Patent Appeals, published as Treasury Decision 45725 (61 Treasury Decisions 1215), shall be continued during the effective period of this agreement.	Free
1756	Sea herring and smelts, fresh or frozen, whether or not packed in ice, and whether or not whole.....	Free
1760	Shingles of wood..... Provided, That the United States reserves the right to limit the total quantity of red cedar shingles which may be entered, or withdrawn from warehouse, for consumption, during any given half of any calendar year to a quantity not exceeding 25 per centum of the combined total of the shipments of red cedar shingles by producers in the United States and the imports of such shingles during the preceding half year.	Free

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
1761	Lobsters, fresh or frozen (whether or not packed in ice), or prepared or preserved in any manner (including pastes and sauces), and not specially provided for.....	Free
1761	Clams, quahaugs, oysters (except seed oysters), and crabs, fresh or frozen (whether or not packed in ice), and not specially provided for.....	Free
1761	Scallops, fresh but not frozen (whether or not packed in ice) ..	Free
1772	Standard newsprint paper.....	Free
1803 (1)	Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; sawed lumber and timber, not further manufactured than planed, and tongued and grooved; all the foregoing, if not of balsa or teak, and not specially provided for...	Free
1803 (2)	Logs; timber, round, unmanufactured; pulp woods; firewood, handle bolts, shingle bolts; and laths; all the foregoing, not cabinet woods, and not specially provided for.....	Free
1804	Posts, railroad ties, and telephone, trolley, electric-light, and telegraph poles of cedar or other woods.....	Free
1805	Pickets, palings, hoops, and staves of wood of all kinds.....	Free

SCHEDULE II—Concluded

Revenue Act of 1932 Section	—	Rate of Import Tax
601 (c) (6)	<p>Lumber, rough, or planed or dressed on one or more sides, except flooring made of maple (except Japanese maple), birch, and beech.....</p> <p>Provided, That from and after the time when the aggregate quantity of sawed Douglas fir and Western hemlock timber and lumber entered, or withdrawn from warehouse, for consumption, in any calendar year after 1935 exceeds 250,000,000 feet, board measure (determined in the manner described in paragraph 401, Tariff Act of 1930), the foregoing provision shall not be in effect in respect of sawed timber and lumber of Douglas fir and Western hemlock during the remainder of such year.</p> <p>Provided further, That no article described in paragraph 401, Tariff Act of 1930, of a kind which is being classified under section 601 (c) (6), Revenue Act of 1932, on the day of the signature of this Agreement but is thereafter excluded from such classification pursuant to a final judicial decision in which the Treasury Department acquiesces, shall be subject to the provisions of Article IV of this Agreement or any provision of this Schedule; but the total duties, taxes, and other exactions hereafter imposed on or in connection with the importation of any such article shall not exceed the total which would have accrued if such article had not been excluded from such classification.</p>	<p>\$1.50 per thousand feet, board measure</p>

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CANADA

TREATY SERIES, 1936

No. 10

EXCHANGE OF NOTES

(June 29, 1936)

PROLONGING

FOR ONE YEAR THE AGREEMENT OF SEPTEMBER
15-16, 1932, AS AMENDED IN 1935, CONCERNING
FLIGHTS OF MILITARY AIRCRAFT

BETWEEN

CANADA AND THE UNITED STATES OF
AMERICA

The Agreement of September 15-16, 1932, was extended in June, 1933,
in July, 1934, and in November, 1935, until June 30, 1936

IN FORCE JULY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

Price, 25 cents

EXCHANGE OF NOTES

(June 29, 1936)

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15-16, 1932, AS AMENDED IN 1935, CONCERNING
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IN FORCE JULY 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
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1937

EXCHANGE OF NOTES (JUNE 29, 1936) PROLONGING FOR ONE YEAR THE AGREEMENT OF SEPTEMBER 15/16, 1932, AS AMENDED IN 1935, CONCERNING FLIGHTS OF MILITARY AIRCRAFT BETWEEN CANADA AND THE UNITED STATES OF AMERICA

From the Secretary of State for External Affairs of Canada to the Minister of the United States of America at Ottawa

DEPARTMENT OF EXTERNAL AFFAIRS

No. 74

OTTAWA, June 29, 1936.

SIR,—I have the honour to refer to Mr. Palmer's Note No. 217 of June 5, 1936, concerning the renewal, for a period of one year, of the agreement of 1932 between our two Governments whereby military aircraft of either country are permitted to fly over specified portions of the territory of the other, and to state that the Canadian Government is agreeable to the proposed renewal.

It is understood that the present renewal covers the amendment included in the exchange of notes of September and November, 1935, by which the agreement of 1932 was extended until June 30, 1936.

I should, therefore, be grateful if I might be informed whether the present note and your reply would be accepted as extending the Agreement of 1932 for a further period of one year from July 1, 1936, to June 30, 1937, on the same terms as those agreed upon last year.

Accept, Sir the renewed assurances of my highest consideration.

O. D. SKELTON

*For the Secretary of State for
External Affairs*

From the Minister of the United States of America at Ottawa to the Secretary of State for External Affairs of Canada

LEGATION OF THE UNITED STATES OF AMERICA

No. 228

OTTAWA, June 29, 1936.

SIR,—I have the honour to acknowledge receipt of your note No. 74 of June 29, 1936, concerning the renewal, for a period of one year, of the agreement of 1932 between our two Governments whereby military aircraft of either country are permitted, under certain conditions, to fly over specified portions of the territory of the other, and have duly noted that the Canadian Government is agreeable to the proposed renewal.

It is understood that the present renewal covers the amendment included in the exchange of notes of September and November, 1935, by which the agreement of 1932 was extended until June 30, 1936.

It is further understood that by the exchange of your note under acknowledgment and of this reply thereto the agreement of 1932 is extended for a further period of one year from July 1, 1936, to June 30, 1937, on the same terms as those agreed upon last year.

I avail myself of the occasion to renew to you, Sir, the assurances of my highest consideration.

NORMAN ARMOUR

CANADA

TREATY SERIES, 1936

No. 11

TRADE AGREEMENT

BETWEEN

CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington April 23, 1932

IN FORCE MAY 24, 1932

Extended in May and November, 1933, for six months, in May,
1934, for a period of one year and in May, 1935,
for a new period of six months

Extended and modified in November, 1935, until July 31, 1936

Extended in July, 1936, until September, 1937,
as modified in November, 1935



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TRADE AGREEMENT
BETWEEN
CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington April 23, 1932

IN FORCE MAY 24, 1932

Extended in May and November, 1933, for six months, in May,
1934, for a period of one year and in May, 1935,
for a new period of six months

Extended and modified in November, 1935, until July 31, 1936

Extended in July, 1936, until September, 1937,
as modified in November, 1935



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

TRADE AGREEMENT BETWEEN CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington April 23, 1932

IN FORCE MAY 24, 1932

See Treaty Series 1932, No. 2

This Agreement was extended for 6 months in May and November, 1933, for a period of one year in May, 1934, and for a new period of six months in May, 1935, by the following Orders in Council:—

P.C. 1016, May 23, 1933.

See Canada Gazette Extra, May 23, 1933.

P.C. 2283, November 1, 1933.

See Canada Gazette Extra, November 4, 1933.

P.C. 978, May 10, 1934.

See Canada Gazette Extra, May 11, 1934.

P.C. 1234, May 10, 1935.

See Canada Gazette Extra, May 18, 1935.

Extended and modified in November, 1935, until July 31, 1936, by the following Order in Council:—

P.C. 3579, November 14, 1935.

See Canada Gazette Extra, November 21, 1935.

Extended in July, 1936, until September 30, 1937, as modified in November, 1935, by the following Order in Council:—

P.C. 1891, July 23, 1936.

See Canada Gazette Extra, July 29, 1936.

CANADA

TREATY SERIES, 1936

No. 12

EXCHANGE OF NOTES

(June 26, 1936)

EXTENDING TO THE FREE CITY OF DANZIG
AS FROM JULY 11, 1936, THE

CONVENTION

RELATING TO THE

TONNAGE MEASUREMENT OF MERCHANT
SHIPS

BETWEEN

HIS MAJESTY, IN RESPECT OF THE UNITED
KINGDOM, CANADA, THE COMMONWEALTH
OF AUSTRALIA, NEW ZEALAND AND INDIA

AND

THE PRESIDENT OF THE REPUBLIC OF POLAND

Signed at Warsaw April 16, 1934
Ratifications Exchanged at London March 21, 1935
(See Treaty Series, 1935, No. 6)

IN FORCE JULY 11, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

EXCHANGE OF NOTES

(June 26, 1936)

EXTENDING TO THE FREE CITY OF DANZIG
AS FROM JULY 11, 1936, THE

CONVENTION

RELATING TO THE

TONNAGE MEASUREMENT OF MERCHANT SHIPS

BETWEEN

HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM,
CANADA, THE COMMONWEALTH OF AUSTRALIA,
NEW ZEALAND AND INDIA

AND

THE PRESIDENT OF THE REPUBLIC OF POLAND

Signed at Warsaw April 16, 1934
Ratifications Exchanged at London March 21, 1935
(See Treaty Series, 1935, No. 6)

IN FORCE JULY 11, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

EXCHANGE OF NOTES (JUNE 26, 1936) EXTENDING TO THE FREE CITY OF DANZIG AS FROM JULY 11, 1936, THE CONVENTION RELATING TO THE TONNAGE MEASUREMENT OF MERCHANTS SHIPS BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, CANADA, THE COMMONWEALTH OF AUSTRALIA, NEW ZEALAND AND INDIA AND THE PRESIDENT OF THE REPUBLIC OF POLAND SIGNED AT WARSAW APRIL 16, 1934

(Translation)

From the Polish Ambassador at London to the Secretary of State for Foreign Affairs of the United Kingdom

POLISH EMBASSY

LONDON, June 26, 1936.

SIR,—Acting on instructions from my Government, I have the honour to inform Your Excellency:

(1) That the Polish Government, to whom it pertains to ensure the conduct of the foreign relations of the Free City of Danzig in virtue of Article 104 of the Treaty of Peace signed at Versailles on the 28th June, 1919, and of Articles 2 and 6 of the Convention between Poland and the Free City of Danzig signed in Paris on November 9th, 1920, declares on behalf of the Free City of Danzig, and in execution of Article 3 of the Convention between Poland, the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, New Zealand and India concerning the reciprocal recognition of tonnage certificates signed at Warsaw on April 16th, 1934, that the Free City of Danzig is a Contracting Party to this Convention of April 16th, 1934, and assumes the obligations and acquires the rights deriving therefrom.

(2) Moreover, the Polish Government has the honour to propose, in accordance with Article 3 above, the following conditions mentioned at the end of this Article:

(a) This Convention of April 16th, 1934, shall apply to the Free City of Danzig and to ships furnished with certificates of registry or other national patents duly issued by the competent Danzig authorities on or after June 14th, 1922, in the same way as to Polish territory and ships furnished with Polish documents.

(b) In conformity with the provisions of its Articles 4, 5 and 6, the Convention of April 16th, 1934, may be terminated by each of the High Contracting Parties separately in so far as its application to the Free City of Danzig is concerned.

(c) Notice of the termination of the Convention of April 16th, 1934, given by Poland in accordance with its Article 4 shall only take effect in respect of the Free City of Danzig if it contains a special clause to that effect.

(d) The application of the Convention of April 16th, 1934, in the territory of the Free City of Danzig shall take effect as from the fifteenth day following on the date of the reception of your reply stating that these conditions are accepted by His Majesty's Governments in the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, New Zealand and by the Government of India.

I should be obliged if you would be good enough to acknowledge receipt of the present note and would inform me whether the Governments of His Majesty in the United Kingdom, in Canada, in the Commonwealth of Australia, in New Zealand and the Government of India concur in the conditions set forth in this note.

I have the honour to be, etc.,

E. RACZYNSKI
*Ambassador Extraordinary
and Plenipotentiary*

*From the Secretary of State for Foreign Affairs of the United Kingdom to the
Polish Ambassador at London*

FOREIGN OFFICE

LONDON, June 26, 1936.

YOUR EXCELLENCY,

On behalf of His Majesty's Governments in the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia and New Zealand and the Government of India, I have the honour to acknowledge the receipt of Your Excellency's note of the 26th June in which you notified me of the application to the Free City of Danzig of the Convention for the reciprocal recognition of certificates of registry and other national papers, signed at Warsaw on the 16th April, 1934, in accordance with Article 3 thereof.

In reply I have the honour to inform Your Excellency that His Majesty's Governments in the United Kingdom, Canada, the Commonwealth of Australia and New Zealand and the Government of India concur in the conditions set forth in your note for the application of the Convention to Danzig which will accordingly take effect on the 11th July.

I have the honour to be, with the highest consideration,

Your Excellency's obedient servant,

For the Secretary of State

ORME SARGENT

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CANADA

TREATY SERIES, 1936

No. 13

NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(October 9, 1935, July 1 and 31, 1936)

EXTENDING TO CANADA AS FROM AUGUST 1, 1936

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE PRESIDENT OF LITHUANIA

REGARDING

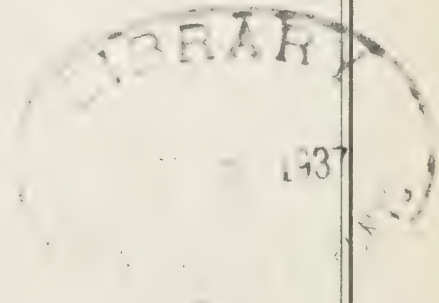
LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at Kovno April 24, 1934
Ratifications Exchanged at London May 7, 1936

IN FORCE AUGUST 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937



NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(October 9, 1935, July 1 and 31, 1936)

EXTENDING TO CANADA AS FROM AUGUST 1, 1936

THE CONVENTION

BETWEEN

HIS MAJESTY

AND

THE PRESIDENT OF LITHUANIA

REGARDING

LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at Kovno April 24, 1934
Ratifications Exchanged at London May 7, 1936

IN FORCE AUGUST 1, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (OCTOBER 9, 1935, July 1 AND 31, 1936) EXTENDING TO CANADA AS FROM AUGUST 1, 1936, THE CONVENTION BETWEEN HIS MAJESTY AND THE PRESIDENT OF LITHUANIA REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS SIGNED AT KOVNO APRIL 24, 1934

From the Secretary of State for External Affairs of Canada to the Secretary of State for Dominion Affairs

DEPARTMENT OF EXTERNAL AFFAIRS

No. 252

OTTAWA, October 9, 1935.

SIR,—I have the honour to refer to my despatch No. 126,* dated the 17th May, 1935, and to the Civil Procedure Conventions which have been concluded with Estonia, Denmark, Finland, Lithuania and the Netherlands, all of which have been signed and duly ratified.

I have the honour to state that His Majesty's Government in Canada desire that, in accordance with the stipulations therein contained, these Conventions shall be extended to Canada by notification to the respective Governments. Such extension should, if it is possible, come into force from a fixed date and it is desirable that that date should be the first day of January, 1936. If, however, the adoption of a fixed date is impracticable, the date of ratification would be satisfactory; and, further, if the date suggested is not satisfactory, a later date, say the first day of February, 1936, should be adopted.

The authorities to whom judicial and extra-judicial Acts and Commissions Rogatoires are to be transmitted will be, where action is to be taken in any Province in Canada, the Attorney-General of such province; in the North West Territories, the Commissioner of the North West Territories; and in the Yukon Territory, the Gold Commissioner of that territory. The language in which communications to such authorities, and translations, are to be made, will be English, except in the Province of Quebec, where they may be made either in English or in French. In order to insure due execution, Commissions Rogatoires should contain full and complete interrogatories.

I have included a tabulated list of the Authorities, together with their addresses, in my despatch No. 251 of even date, herewith.

I shall be obliged, therefore, if steps will be taken to make the necessary notifications to the interested Governments.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

O. D. SKELTON

for the Secretary of State for External Affairs

* See Nos. 11-19, 1935 Treaty Series.

<i>Province or Territory</i>	<i>Authority and Address</i>	<i>Language</i>
Ontario	Attorney-General, Toronto	English
Quebec	Attorney-General, Quebec	English or French
Nova Scotia	Attorney-General, Halifax	English
Prince Edward Island	Attorney-General, Charlottetown	English
New Brunswick	Attorney-General, Fredericton	English
British Columbia	Attorney-General, Victoria	English
Manitoba	Attorney-General, Winnipeg	English
Saskatchewan	Attorney-General, Regina	English
Alberta	Attorney-General, Edmonton	English
North West Territories	Commissioner of the North West Territories, Ottawa	English
Yukon Territory	The Gold Commissioner of the Yukon Territory, Dawson City	English

From the British Charge d'Affaires at Kaunas to the Minister for Foreign Affairs of Lithuania

BRITISH LEGATION

No. 51

KAUNAS, July 1, 1936.

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency in accordance with Article 17 (a) of the convention regarding legal proceedings in civil and commercial matters, which was signed at Kaunas on the 24th April, 1934, the accession of His Majesty to that convention in respect of Canada.

The attached list indicates in respect of each province or territory of Canada the authority to whom requests for service or for the taking of evidence should be transmitted, and the language in which communications and translations are to be made.

In accordance with Article 17 (a) of the convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st August next.

In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

THOMAS H. PRESTON

H.B.M. Charge d'Affaires

(Translation)

From the Minister for Foreign Affairs of Lithuania to the British Charge d'Affaires at Kaunas

MINISTRY FOR FOREIGN AFFAIRS OF LITHUANIA

KAUNAS, July 31, 1936.

MONSIEUR LE CHARGÉ D'AFFAIRES,

I have the honour to acknowledge the receipt of your Note No. 51 of July 1, 1936, addressed to the Minister for Foreign Affairs, by which you were good enough to advise that His Britannic Majesty's Government in Canada had acceded to the Civil Procedure Convention between Lithuania and Great Britain, signed at Kaunas on April 24, 1934, in accordance with the provisions of Article 17 of the said Convention.

In accordance with the said Article, Canada's accession will come in force on August 1, 1936.

Accept, Sir, the renewed assurances of my high consideration.

URBŠYS
Political Director

CIVIL PROCEDURE CONVENTION BETWEEN GREAT BRITAIN AND LITHUANIA

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the Republic of Lithuania,

Being desirous to render mutual assistance in the conduct of legal proceedings in civil and commercial matters which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

Mr. Hughe Montgomery Knatchbull-Hugessen, his Envoy Extraordinary and Minister Plenipotentiary to the Republic of Lithuania, and

The President of the Republic of Lithuania:

Dr. Dovas Zaunius, Minister for Foreign Affairs,

Who having communicated their full powers, found in good and due form, have agreed as follows:—

I.—*Preliminary*

ARTICLE 1

(a) Except where the contrary is expressly stated, this Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words—

- (1) “territory of one (or of the other) High Contracting Party” shall be interpreted (a) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, as meaning England and Wales and all territories in respect of which the Convention is in force by reason of extensions under Article 16 or accessions under Article 17; and (b) in relation to the President of the Republic of Lithuania as meaning Lithuania;
- (2) “persons” shall be deemed to mean individuals and artificial persons;
- (3) “artificial persons” shall be deemed to include partnerships, companies, societies and other corporations;
- (4) “subjects or citizens of a High Contracting Party” shall be deemed to include artificial persons constituted or incorporated under the laws of the territory of such High Contracting Party;
- (5) “subjects (or citizens) of one (or of the other) High Contracting Party” shall be deemed (a) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, to mean all subjects of His Majesty wherever domiciled and all persons under his protection; and (b) in relation to the President of the Republic of Lithuania all Lithuanian citizens.

II.—*Service of Judicial and Extra-Judicial Documents*

ARTICLE 2

(a) When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required by a judicial authority situated therein to be served on persons in the territory of the other High Contracting Party, such documents may be served on the recipient, whatever his nationality, by any of the methods provided in Articles 3 and 4, in all cases where such method of service is recognised by the law of the country of origin.

(b) In Part II of this Convention the expression "country of origin" means the country from which the documents to be served emanate, and the expression "country of execution" means the country in which service of documents is to be effected.

ARTICLE 3

(a) A request for service shall be addressed and sent by a Consular Officer acting for the country of origin to the competent authority of the country of execution, requesting such authority to cause the document in question to be served.

(b) The request for service shall be drawn up in the language of the country of execution, and shall state the names and descriptions of the parties, the name, description and address of the recipient, and the nature of the document to be served, and shall enclose the document to be served in duplicate.

(c) The document to be served shall either be drawn up in the language of the country of execution, or be accompanied by a translation into such language. Such translation shall be certified as correct by a Consular Officer acting for the country of origin.

(d) Requests for service shall be addressed and sent—

In England to the Senior Master of the Supreme Court of Judicature.

In Lithuania to the President of the Court of Appeal; in the case of the Territory of Klaipėda (Memel) to the President of the Landgericht.

If the authority to whom a request for service has been sent is not competent to execute it, such authority shall (except in cases where execution is refused in accordance with paragraph (f) of this Article) of his own motion forward the request to the competent authority of the country of execution.

(e) Service shall be effected by the competent authority of the country of execution, who shall serve the document in the manner prescribed by the municipal law of such country for the service of similar documents, except that, if a wish for some special manner of service is expressed in the request for service, such manner of service shall be followed in so far as it is not incompatible with the law of that country.

(f) The execution of a request for service, duly made in accordance with the preceding provisions of this Article, shall not be refused unless (1) the authenticity of the request for service is not established, or (2) the High Contracting Party in whose territory it is to be executed considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where a request for service is not executed by the authority to whom it has been sent, the latter will at once inform the Consular Officer by whom the request was sent, stating the ground on which the execution of the request has been refused or the competent authority to whom it has been forwarded.

(h) The authority by whom the request for service is executed shall furnish a certificate proving the service or explaining the reason which has prevented such service, and setting forth the fact, the manner and the date of such service or attempted service, and shall send the said certificate to the Consular Officer by whom the request for service was sent. The certificate of service or of attempted service shall be placed on one of the duplicates or attached thereto.

ARTICLE 4

(a) Service may be effected, without any request to or intervention of the authorities of the country of execution, by any of the following methods:—

(1) By a Consular Officer acting for the country of origin;

(2) By an agent appointed for the purpose either by the judicial authority of the country of origin or by the party on whose application the document was issued;

- (3) Through the post; or
- (4) By any other method of service which is not illegal, under the law existing at the time of service, in the country of execution.

(b) All documents served in the manner provided in (1) of the preceding paragraph shall, unless the recipient is a subject or citizen of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country of execution or be accompanied by a translation into such language, certified as correct, as prescribed in Article 3 (c).

(c) The High Contracting Parties agree that in principle it is also desirable that the provisions of paragraph (b) of this Article should apply to documents served in the manner provided in (2), (3) and (4) of paragraph (a) of this Article. Nevertheless, in the absence of any legislation in their respective territories making translations obligatory in such cases, the High Contracting Parties do not accept any obligation in this respect.

(d) It is understood that the question of the validity of any service effected by the use of any of the methods referred to in paragraph (a) of this Article will remain a matter for the free determination of the respective courts of the High Contracting Parties in accordance with their laws.

ARTICLE 5

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Consular Officer the request for service was addressed, shall repay to the other High Contracting Party any charges and expenses which are payable under the law of the country of execution to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Consular Officer by whom the request was addressed, when sending to him the certificate provided for in Article 3 (h).

(c) Except as provided above, no fees of any description shall be payable by one High Contracting Party to the other in respect of the service of any documents.

III.—*Taking of Evidence*

ARTICLE 6

(a) When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Contracting Party, such evidence may be taken, whatever the nationality of the parties or witnesses may be, in any one of the ways prescribed in Articles 7, 8 or 9.

(b) In Part III of this Convention, the expressions—

- (1) "Taking of evidence" shall be deemed to include the taking of the statements of a plaintiff, defendant, expert or any other person on oath or otherwise; the submission to a plaintiff, defendant, expert or any other person of any oath with regard to any legal proceedings; and the production, identification and examination of documents, samples or other objects.
- (2) "Witness" shall be deemed to include any person from whom any evidence, as defined above, is required to be taken.
- (3) "Country of origin" shall be deemed to mean the country by whose judicial authority the evidence is required, and "country of execution" the country in which the evidence is to be taken.

ARTICLE 7

(a) The judicial authority of the country of origin may, in accordance with the provisions of the law of his country, address himself by means of a Letter of Request to the competent authority of the country of execution, requesting such authority to take the evidence.

(b) The Letter of Request shall be drawn up in the language of the country of execution, or be accompanied by a translation into such language. Such translation shall be certified as correct by a Consular Officer for the country of origin. The Letter of Request shall state the nature of the proceedings for which the evidence is required, giving all necessary information in regard thereto, the names of the parties thereto, and the names, descriptions and addresses of the witnesses. It shall also either (1) be accompanied by a list of interrogatories to be put to the witness or witnesses, or, as the case may be, by a description of the documents, samples or other objects to be produced, identified or examined, and a translation thereof, certified as correct in the manner heretofore provided; or (2) shall request the competent authority to allow such questions to be asked *viva voce* as the parties or their representatives shall desire to ask.

(c) Letters of Request shall be transmitted—

In England by a Lithuanian Consular Officer to the Senior Master of the Supreme Court of Judicature.

In Lithuania by a British Consular Officer to the President of the Court of Appeal; in the case of the Territory of Klaipėda (Memel) to the President of the Landgericht.

In case the authority to whom any Letter of Request is transmitted is not competent to execute it, such authority shall (except in cases where execution is refused in accordance with paragraph (f) of this Article) of his own motion forward the Letter of Request to the competent authority of the country of execution.

(d) The competent authority of the country of execution shall give effect to the Letter of Request and obtain the evidence required by the use of the same compulsory measures and the same procedure as are employed in the execution of a commission or order emanating from the authorities of his own country, except that if a wish that some special procedure should be followed is expressed in the Letter of Request, such special procedure shall be followed in so far as it is not incompatible with the law of the country of execution.

(e) The Consular Officer, by whom the Letter of Request is transmitted shall, if he so desires, be informed of the date when and the place where the proceedings will take place, in order that he may inform the interested party or parties, who shall be permitted to be present in person or to be represented, if they so desire, by barristers or solicitors or by any representatives who are competent to appear before the courts either of the country of origin or of the country of execution.

(f) The execution of the Letter of Request which complies with the preceding provisions of this Article can only be refused—

- (1) If the authenticity of the Letter of Request is not established;
- (2) If, in the country of execution, the execution of the Letter of Request in question does not fall within the functions of the judiciary;
- (3) If the High Contracting Party in whose territory it is to be executed considers that his sovereignty or safety would be compromised thereby.

(g) In every instance where a Letter of Request is not executed by the authority to whom it is addressed, the latter will at once inform the Consular Officer by whom it was transmitted, stating the grounds on which the execution of the Letter of Request has been refused, or the competent authority to whom it has been forwarded.

(*h*) When a Letter of Request has been executed, the competent authority to whom it was transmitted or forwarded shall send to the Consular Officer by whom it was transmitted the necessary documents establishing its execution.

ARTICLE 8

(*a*) The judicial authority of the country of origin may, in the Letter of Request addressed to the competent authority of the country of execution, request such authority to appoint to take the evidence a person specially designated in the Letter of Request.

A Consular Officer for the country of origin or any other suitable person may be so designated.

(*b*) Where this procedure is adopted, the provisions of paragraphs (*b*), (*c*), (*f*), (*g*) and (*h*) of Article 7 shall apply, but the following paragraphs shall be substituted for paragraphs (*d*) and (*e*) of that Article.

(*c*) The competent authority of the country of execution shall give effect thereto, and shall appoint the person designated to take the evidence, unless such person shall be unwilling so to act. In addition, if necessary, such authority shall make use of such compulsory powers as it possesses under its own law to secure the attendance of and the giving of evidence by the witnesses before the person so appointed.

(*d*) The person thus appointed shall have power to administer an oath, and any person giving false evidence before him shall be liable in the courts of the country of execution to the penalties provided by the law of that country for perjury.

(*e*) The evidence shall be taken in accordance with the law of the country of origin, provided such method is not contrary to the law of the country of execution, and the parties shall have the right to be present in person or to be represented by barristers or solicitors or by any other persons who are competent to appear before the courts of either the country of origin or of execution.

ARTICLE 9

(*a*) The evidence may also be taken, without any request to or the intervention of the authorities of the country of execution by a person in that country directly appointed for the purpose by the court of the country of origin. A Consular Officer acting for the country of origin or any other suitable individual may be so appointed.

(*b*) A person so appointed to take evidence may request the individuals named by the court appointing him to appear before him and to give evidence. He may take all kinds of evidence which are not contrary to the law of the country of execution, and shall have power to administer an oath. The attendance and giving of evidence before any such person shall be entirely voluntary, and no measures of compulsion shall be employed.

(*c*) Requests to appear issued by such person shall, unless the recipient is a subject or citizen of the High Contracting Party for whose judicial authority the evidence is required, be drawn up in the language of the country of execution or be accompanied by a translation into such language.

(*d*) The evidence may be taken in accordance with the procedure recognised by the law of the country of origin, and the parties will have the right to be present in person or to be represented by barristers or solicitors of that country, or by any representatives who are competent to appear before the courts either of the country of origin or of the country of execution.

ARTICLE 10

The fact that an attempt to take evidence by the method laid down in Article 9 has failed owing to the refusal of any witness to appear or to give evidence does not preclude a request being subsequently made in accordance with Article 7 or 8.

ARTICLE 11

(a) Where evidence is taken in the manner provided in Article 7 or 8, the High Contracting Party, by whose judicial authority the Letter of Request was addressed, shall repay to the other High Contracting Party any expenses incurred by the competent authority of the latter in the execution of the request in respect of any charges and expenses payable to witnesses, experts, interpreters or translators, the costs of obtaining the attendance of witnesses who have not appeared voluntarily, and the charges and expenses payable to any person whom such authority may have deputed to act, in cases where the law of the country of execution permits this to be done, and any charges and expenses incurred by reason of a special procedure being requested and followed. These expenses shall be such as are usually allowed in similar cases in the courts of the country of execution.

(b) The repayment of these expenses shall be claimed by the competent authority by whom the Letter of Request has been executed from the Consular Officer by whom it was transmitted when sending to him the documents establishing its execution, as provided in Article 7 (h).

(c) Except as above provided, no fees of any description shall be payable by one High Contracting Party to the other in respect of the taking of evidence.

IV.—*Judicial Assistance for Poor Persons and Security for Costs*

ARTICLE 12

The subjects or citizens of one High Contracting Party resident in the territory of the other High Contracting Party shall not be compelled to give security for costs in any case where a subject or citizen of such other High Contracting Party would not be so compelled.

ARTICLE 13

(1) The subjects or citizens of one High Contracting Party shall enjoy in the territory of the other High Contracting Party a perfect equality of treatment with subjects or citizens of the latter High Contracting Party as regards free legal assistance for poor persons.

(2) The provisions of this Article apply to criminal as well as to civil and commercial matters.

V.—*General Provisions*

ARTICLE 14

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

ARTICLE 15

The present Convention, of which the English and Lithuanian* texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged, and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

* Not printed.

ARTICLE 16

(a) This Convention shall not apply *ipso facto* to Scotland, Northern Ireland, nor to any of the Colonies, overseas territories or Protectorates of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any territories under his suzerainty, nor to any mandated territories in respect of which the mandate is exercised by his Government in the United Kingdom, but His Majesty may at any time, while this Convention is in force under Article 15, by a notification given through his Minister at Kaunas (Kovno) extend the operation of the Convention to any of the above-mentioned territories.

(b) Such notification shall state the authorities in the territory concerned to whom requests for service under Article 3 or Letters of Request under Article 7 are to be transmitted, and the language in which communications and translations are to be made. The date of the coming into force of any such extension shall be one month from the date of such notification.

(c) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (a) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(d) The termination of the Convention under Article 15 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (a) of this Article.

ARTICLE 17

(a) The High Contracting Parties agree that His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, may at any time, while the present Convention is in force, either under Article 15 or by virtue of any accession under this Article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any other Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when Lithuania has given notice of termination in respect of all the territories of His Majesty to which the Convention applies. The provisions of Article 16 (b) shall be applicable to such notification. Any such accession shall take effect one month after the date of its notification.

(b) After the expiry of three years from the date of the coming into force of any accession under paragraph (a) of this Article, either of the High Contracting Parties may, by giving six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 15 shall not affect its application to any such country.

(c) Any notification of accession under paragraph (a) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (b) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and Lithuanian texts, of which both are equally authentic, and have affixed thereto their seals.

Done in duplicate at Kaunas the 24th day of April in the year 1934.

HUGHE M. KNATCHBULL-HUGESSEN
ZAUNIUS

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CANADA

TREATY SERIES, 1936

No. 14

EXCHANGE OF NOTES

(August 12, 1936)

CONSTITUTING A

COMMERCIAL ARRANGEMENT

BETWEEN

CANADA

AND

URUGUAY

IN FORCE AUGUST 12, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

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EXCHANGE OF NOTES

(August 12, 1936)

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OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

EXCHANGE OF NOTES (AUGUST 12, 1936) CONSTITUTING A COMMERCIAL ARRANGEMENT BETWEEN CANADA AND URUGUAY

From the Secretary of State for External Affairs of Canada to Senor Don Mateo Marques Castro

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, August 12, 1936.

SIR,—It being the desire of the Governments of Canada and of Uruguay to facilitate the commercial relations existing between the two countries, pending the coming into force of the Trade Agreement signed this day, I have the honour to inform you that the Canadian Government is prepared to accept the following arrangement and to give it immediate effect so far as Canada is concerned:

(1) The Canadian Government will extend the benefits of the Intermediate Tariff of Canada to products originating in and coming from the Republic of Uruguay when conveyed without transshipment from a port of Uruguay or from a port of a country enjoying the benefits of the Preferential or Intermediate Tariff into a sea, lake or river port of Canada.

(2) The Government of Uruguay will extend the benefits of the normal tariff of Uruguay without addition of the surtax of 50 per cent to products originating in and coming from Canada. Tariff preferences accorded or which may hereafter be accorded by Uruguay to products of Argentina, Brazil, Bolivia and Paraguay shall not be included in this arrangement so long as such preferences are not extended to any other state.

(3) In all matters pertaining to the allocation of exchange made available for commercial transactions or in the allocation of quotas, either in respect of exchange or in respect of the quantitative control of imports, sympathetic consideration shall be extended to any representations made by either Government to the other.

It is understood that this Note and Your Excellency's reply will constitute an arrangement which shall remain in effect for twelve months from the date hereof subject to previous termination by the coming into force of the Trade Agreement between the two countries or upon thirty days' notice by either Government to the other.

Accept, Sir, the renewed assurances of my highest consideration.

W. L. MACKENZIE KING
Secretary of State for External Affairs

Senor Don Mateo Marques Castro a Secretario de Estado para las Relaciones Exteriores del Canada

OTTAWA, 12 de Agosto de 1936.

EXCELENCIA:

Siendo el deseo de los Gobiernos del Uruguay y del Canadá facilitar las relaciones comerciales existentes entre ambos países, y pendiente la entrada en vigor del Tratado de Comercio firmado con fecha de hoy, tengo el honor de comunicar á Vuestra Excelencia que el Gobierno del Uruguay está dispuesto á aceptar el siguiente convenio y darle efecto inmediato en lo que concierne al Uruguay:

(1) El Gobierno del Canadá concederá los beneficios de la Tarifa Intermedia del Canadá á los productos originarios y procedentes de la República O. del Uruguay siempre que sean transportados sin transbordo de un puerto del Uruguay o de un puerto de otro país al cual le sean concedidos los beneficios de las

Tarifas Preferencial o Intermedia y destinados a cualquier puerto de mar, lago o río del Canadá.

(2) El Gobierno del Uruguay concederá los beneficios de la Tarifa Normal del Uruguay, sin imponer la sobre-tasa adicional de 50 por ciento, á los productos originarios y procedentes del Canadá. Se exceptuarán los Aranceles Preferidos ya concedidos o que pudieran ser concedidos en el futuro por el Uruguay á los productos de la Argentina, Brasil, Bolivia y Paraguay, mientras tales preferencias no se concedan a cualquier otro país.

(3) El Gobierno de cada uno de ambos países dará benévola consideración á todas las representaciones que el otro Gobierno pudiera hacer con respecto á la asignación de divisas hechas disponibles para transacciones comerciales o á la asignación de contingentes respecto á cambios o divisas y al control cuantitativo de las importaciones.

Queda entendido que la Nota de Vuestra Excelencia de fecha de hoy y la presente contestación constituirán un Convenio que permanecerá en vigor por el término de doce meses desde esta fecha, sujeto á su previa terminación por motivo de la entrada en vigor del Convenio Comercial entre los dos países o por la denuncia con aviso de treinta días dado por un Gobierno al otro.

Reitero á Vuestra Excelencia la seguridad de mi más alta consideración.

*El Ministro Plenipotenciario
de la República O. del Uruguay*
MATEO MARQUES CASTRO

(Translation)

*From Senor Don Mateo Marques Castro to the Secretary of State for External
Affairs of Canada*

OTTAWA, August 12, 1936.

SIR,—It being the desire of the Governments of Uruguay and Canada to facilitate the commercial relations existing between the two countries pending the coming into force of the Trade Agreement signed this day, I have the honour to inform you, Sir, that the Government of Uruguay is prepared to accept the arrangement hereunder and to immediately apply its provisions:

(1) The Government of Canada will grant the advantages of the Canadian Intermediate Tariff to products originating in and coming from Uruguay provided the said products are forwarded without transhipment from an Uruguayan port or from a port of a country enjoying the benefits of the Preferential or Intermediate tariffs into a sea, lake or river port of Canada.

(2) The Government of Uruguay will grant the benefits of the Normal Tariff of Uruguay without adding the 50 per cent surtax to products originating in and coming from Canada. Any tariff preferences which have been or may hereafter be granted to the products of Argentina, Brazil, Bolivia and Paraguay shall not be included in this arrangement as long as these preferences shall not have been granted to any other country.

(3) The two Governments shall give their favourable consideration to any representations made by one or the other with respect to the allotment of exchange made available for commercial transactions or that of quotas governing exchange or the quantitative control of imports.

It is understood that Your Excellency's note of this day and my reply thereto will constitute an arrangement which shall remain in force for twelve months from this date, unless terminated in the meantime by the coming into force of the Trade Agreement or by either Government giving a thirty-day notice to the other of their intention to terminate it.

Accept, Sir, the renewed assurances of my highest consideration.

MATEO MARQUES CASTRO
Uruguayan Plenipotentiary

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CANADA

TREATY SERIES, 1936

No. 15

CONVENTION OF COMMERCE

BETWEEN

CANADA AND POLAND

Signed at Ottawa July 3, 1935

Ratifications exchanged at Warsaw July 31, 1936

IN FORCE AUGUST 15, 1936



OTTAWA

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CONVENTION OF COMMERCE

BETWEEN

CANADA AND POLAND

Signed at Ottawa July 3rd, 1935



OTTAWA
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

**CONVENTION OF COMMERCE BETWEEN CANADA AND POLAND—
SIGNED AT OTTAWA JULY 3rd, 1935**

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the President of the Republic of Poland, being desirous of facilitating and extending the commercial relations existing between Canada and Poland, have resolved to conclude a Convention of Commerce for this purpose, and have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Right Honourable RICHARD BEDFORD BENNETT, Prime Minister,
President of the Privy Council and Secretary of State for
External Affairs;

The Honourable RICHARD BURPEE HANSON, Minister of Trade and
Commerce;

The President of the Republic of Poland:

Doctor JERZY ADAMKIEWICZ, Consul General of the Republic of
Poland for Canada and Newfoundland;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

ARTICLE 1

Articles produced or manufactured in Canada shall not, on importation into Poland, be subjected to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country; at the same time the articles enumerated in Schedule A to this Convention, produced or manufactured in Canada, shall not, on importation into Poland, be subjected to higher duties than those specified in the said Schedule and shall be subjected to the lowest rates of duty which Poland may grant to any other foreign country on the like articles.

ARTICLE 2

The stipulations of Article 1 of this Convention shall not extend:

- (a) To privileges which are or hereafter may be granted by Poland to purely border traffic within a zone not exceeding 15 kilometres wide on either side of its customs frontier;
- (b) To privileges granted by Poland to a state by virtue of a Customs Union with that state;
- (c) To tariff preferences or customs facilities which hereafter may be granted by Poland to Esthonia, Latvia, Lithuania or Finland so long as such privileges are not accorded to any other state;
- (d) To the regime for duties and quotas established temporarily between Polish Upper Silesia and German Upper Silesia by virtue of the German-Polish Convention concerning Upper Silesia, signed at Geneva on May 15th, 1922.

ARTICLE 3

Articles produced or manufactured in Poland shall not, on importation into Canada, be subjected to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country; at the same time the articles enumerated in Schedule B to this Convention, produced or manufactured in Poland, shall not, on importation into Canada, be subjected to higher duties than those specified in the said Schedule, and shall be subjected to the lowest rates of duty which Canada may grant to any other foreign country on the like articles.

ARTICLE 4

To enjoy the benefits of the tariff advantages provided for in Article 1 of this Convention, articles, produced or manufactured in Canada, shall be conveyed without transshipment from a Canadian port or from a port of a country enjoying most-favoured-nation treatment in tariff matters in Poland into a port or ports of the Polish Customs Territory.

Reciprocally, to enjoy the benefits of the tariff advantages provided for in Article 3 of this Convention, articles, produced or manufactured in Poland, shall be conveyed without transshipment from a port or ports of the Polish Customs Territory or from a port of a country enjoying the benefits of the British Preferential or Intermediate Tariff, into a sea, lake or river port of Canada.

Provided, however, that articles produced or manufactured in Poland, on importation into Canada, and articles produced or manufactured in Canada, on importation into Poland, shall not be subjected to other or more onerous conditions with respect to direct shipment than are imposed on the like articles imported from any other foreign country.

ARTICLE 5

No prohibition or restriction shall be maintained or imposed by either of the High Contracting Parties on the importation of any article the produce or manufacture of the territories of the other Party which shall not equally extend to the importation of the like articles being the produce or manufacture of any other foreign country.

This provision shall not be applicable to prohibitions or restrictions, which already exist or may be imposed in future on importation or exportation, provided that such prohibitions or restrictions are issued with regard to:

- (a) Public order or the internal or external security of the state;
- (b) Public health or the protection of animals or plants against disease;
- (c) Articles constituting a state-monopoly.

In the event of import licences being required for the importation of any class of goods into the territories of either of the High Contracting Parties, the general conditions of procedure under which licences may be obtained for the importation of such goods shall not be less favourable than those applied in the case of similar goods the produce or manufacture of any other foreign country.

ARTICLE 6

Articles produced or manufactured in the territories of either of the High Contracting Parties, exported to the territories of the other, shall not be subjected to other or higher export duties or charges than those paid on the like articles exported to any other foreign country.

Nor shall any prohibition or restriction, with the exception of those enumerated in Article 5 of this Convention, be maintained or imposed on the exportation of any articles from the territories of either of the High Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like articles to any other foreign country.

ARTICLE 7

Articles produced or manufactured in the territories of either of the High Contracting Parties, passing in transit through the territories of the other, in conformity with the laws of the country, shall be reciprocally free from all transit duties, whether they pass direct, or whether during transit they are unloaded, warehoused or reloaded.

ARTICLE 8

Internal duties or taxes which are, or hereafter may be, levied in the territories of either of the High Contracting Parties by, or on behalf of, the State or a local authority or other corporation on the production, manufacture, sale or consumption of goods shall not affect the goods of one Party imported into the territories of the other under any pretext whatever, to a greater extent or in a more restrictive way, than goods of the same kind, which are the produce or manufacture of the other Party.

Articles produced or manufactured in the territories of either of the High Contracting Parties imported into the territories of the other, and intended for transit or warehousing only, shall not be subjected to any internal duties or taxes.

ARTICLE 9

Merchants and manufacturers, nationals of one of the High Contracting Parties, as well as merchants and manufacturers domiciled and exercising their commerce and industries in the territories of such Party, may, in the territories of the other, either personally or by means of commercial travellers, make purchases or collect orders with or without samples or specimens and such merchants, manufacturers, and their commercial travellers, while so making purchases and collecting orders, shall, in the matter of taxation and facilities, enjoy treatment not less favourable than that accorded to merchants, manufacturers and commercial travellers, nationals of any other foreign country.

If one of the High Contracting Parties should consider it necessary to require certificates attesting the character of certain persons as commercial travellers in order to accord them the above facilities, in that case the High Contracting Parties shall by exchange of notes agree on the form of such certificates and the authorities competent to issue them.

Articles, imported as samples and specimens for the purpose mentioned above, shall, in each country, be temporarily admitted free of duty on compliance with the customs regulations and formalities established to assure their re-exportation or the payment of the prescribed customs duties if not re-exported within the period of twelve months. But the foregoing privilege shall not extend to articles which, owing to their quality or value, cannot be considered as samples, or which owing to their nature, could not be identified upon re-exportation. The determination of the question of qualification of samples for duty free admission rests in all cases exclusively with the competent authorities of the place where the importation is effected.

Samples of no commercial value shall be admitted into the territories of either of the High Contracting Parties free of duty.

The Customs Authorities of the importing country shall recognize as sufficient for the future identification of the samples or specimens the marks which have been affixed by the Customs Authorities of the exporting country, provided that the said samples or specimens are accompanied by a descriptive list certified by the Customs Authorities of the latter. Additional marks may, however, be affixed to the samples or specimens by the Customs Authorities of the importing country in all cases in which the latter consider the additional guarantee indispensable for ensuring the identification of the samples or speci-

mens on re-exportation. Except in the latter case, customs verification shall be confined to identifying the samples and deciding the total duties and charges to which they may eventually be liable.

The refund of duties paid on importation or the release of the security for the payment of these duties shall be effected without undue delay and subject to the deduction of the duties payable on samples or specimens which are neither produced for re-exportation nor placed in bond.

ARTICLE 10

Nationals of each of the High Contracting Parties, shall have, in the territories of the other, the same rights as nationals of that Party in regard to patents for inventions, trade-marks, industrial designs and patterns, commercial names, names of origin of products, and the prevention of unfair competition, upon fulfilment of the formalities provided for by law.

ARTICLE 11

The vessels of each of the High Contracting Parties shall enjoy in the ports of the other High Contracting Party treatment not less favourable than that accorded to national vessels or to vessels of the most favoured nation, excepting always coasting trade and river or lake traffic which each of the High Contracting Parties shall have the right to reserve to national vessels.

Each High Contracting Party shall permit the importation or exportation of all merchandise, the importation or exportation of which is permitted, as well as the carriage of passengers from or to their respective territories upon the vessels of the other. Such vessels, their passengers and cargoes, shall enjoy the same privileges as, and shall not be subject to duties or charges other or higher than, national vessels, their passengers and cargoes, or the vessels of the most favoured nation and their passengers and cargoes.

Navigation companies of either of the High Contracting Parties engaged in the transport of emigrants shall in the territories of the other High Contracting Party enjoy the same treatment in every respect as the corresponding navigation companies of the most favoured nation.

ARTICLE 12

The nationality of a vessel shall be established in accordance with the laws of the state to which the vessel belongs by the aid of certificates of registry and other documents carried on the ship and issued by the proper authorities.

With the exception of sale under a judgment of a court of justice, the vessels of either of the High Contracting Parties shall not be liable to have national character changed within the territories of the other unless a declaration that the vessel is no longer on its registry is issued by the authorities of the former state.

ARTICLE 13

The nationals of each of the High Contracting Parties in the territory of the other shall enjoy free access to the courts of justice, either as plaintiffs or as defendants in all matters, without other conditions, restrictions or taxes than those imposed on nationals; and like them they shall be at liberty to have recourse in all matters to the services of advocates, attorneys, solicitors or other agents selected from among the persons admitted to the legal professions by the laws in force in the territory in question.

The above provisions shall not apply to the "cautio judicatum solvi" or to rights obtainable "in forma pauperis", which matters will be settled by a separate convention.

ARTICLE 14

The nationals of each of the High Contracting Parties in the territories of the other shall be at full liberty to acquire and possess every description of property, movable and immovable, within the limitations and subject to the conditions under which the laws of the other Party permit, or shall permit, the nationals of any other foreign country to acquire and possess property. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, or acquire the same by inheritance, under the same conditions as are or shall be established with regard to nationals of any other foreign country. They shall not be subjected in any of the cases mentioned to any taxes, imposts, or charges of whatever denomination other or higher than those which are, or shall be, generally applicable to nationals of any other foreign country.

Moreover the nationals of either of the High Contracting Parties including companies and other associations organized and exercising their functions in accordance with the laws in force in the territories of that High Contracting Party shall enjoy unconditionally in every respect in the territories of the other High Contracting Party the most-favoured-nation treatment in all matters concerning the exercise of commerce and industry, exemption from domiciliary visits or from search of shops, or other premises or from inspection or examination of their books, papers and accounts except under due process of law. Nor shall they be subject to taxes, general or local, imposts, fees, rates or other official charges, other or greater than those imposed on the nationals or companies or other associations of the other High Contracting Party.

ARTICLE 15

The nationals of each of the High Contracting Parties in the territories of the other shall be exempted from all compulsory military service whatsoever, whether in the army, navy, air force, national guard or militia, and from all taxes or requisitions levied in lieu of such services.

ARTICLE 16

Each of the High Contracting Parties shall be at liberty to appoint consuls-general, consuls, vice-consuls, consular agents and trade commissioners to reside in the towns and ports of the territory of the other to which such consuls or agents of any other State are admitted. Such consuls-general, consuls, vice-consuls, consular agents, and trade commissioners, however, shall not enter upon their functions until after they shall have been accepted and admitted in the usual manner.

The heads of posts, titular or acting, as well as the agents of the consular service, chancellors, attaches or others, on condition of reciprocity, shall enjoy the personal privileges, immunities and exemptions such as are or may be accorded to similar agents of the same class and grade of the most favoured foreign nation.

The High Contracting Parties agree to conclude a convention with a view to determining and defining the powers and functions of these agents.

ARTICLE 17

The stipulations of this Convention, and particularly of Articles 3, 4, 5, 6, 9, 11, 14 and 15 thereof, shall not extend to privileges, preferences or treatment which may at any time be in force exclusively between territories under the sovereignty of His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, or under His Majesty's suzerainty, protection or mandate.

ARTICLE 18

Any dispute which may arise between the High Contracting Parties in regard to the proper interpretation or application of any of the provisions of this Convention and which cannot be solved by discussion between their representatives shall, by common consent, by submission in writing, be referred to a Court of Arbitration which shall in each particular case be constituted by each Party nominating one of its nationals as arbiter and an umpire who shall be chosen by agreement between the arbiters.

ARTICLE 19

The Polish Government which is entrusted with the conduct of the foreign affairs of the Free City of Danzig under Article 104 of the Treaty of Versailles and Articles 2 and 6 of the Treaty signed in Paris on November 9, 1920, between Poland and the Free City of Danzig, reserves hereby the right to declare that the Free City of Danzig is a Contracting Party to this Convention and that it assumes the obligations and acquires the rights laid down therein.

This reservation does not relate to those stipulations of this Convention which the Republic of Poland has accepted with regard to the Free City in accordance with the Treaty rights conferred on Poland.

ARTICLE 20

The present Convention shall be ratified and the ratifications shall be exchanged at Warsaw as soon as practicable.

It shall come into force fifteen days after the exchange of ratifications and shall be binding for a period of one year from the date of coming into force. In case neither of the High Contracting Parties shall have given notice to the other three months before the expiration of the said period of one year of its intention to terminate the present Convention, it shall be regarded as having been prolonged and shall remain in force until the expiration of three months from the date on which either of the High Contracting Parties shall have given to the other notice of its intention to terminate it.

In witness whereof the respective Plenipotentiaries have signed this Convention and have affixed thereto their seals.

Done in duplicate at Ottawa, in English and Polish texts, both authentic, this third day of July in the year of Our Lord one thousand nine hundred and thirty-five.

(L.S.) R. B. BENNETT

(L.S.) R. B. HANSON.

SCHEDULE A

CANADIAN PRODUCTS ENJOYING ON THEIR IMPORTATION INTO THE POLISH CUSTOMS TERRITORY THE PERCENTAGES OF DISCOUNT FROM COLUMN II OF THE POLISH CUSTOMS TARIFF INDICATED BELOW:

Number of Item in Polish Customs Tariff	Designation of Articles	Rates of Column II less a discount on the amount of the duty of
Ex 256 (3)	Herrings of the species named "Clupea harengus", spiced or otherwise prepared, together with the packing:— (a) weighing more than 500 g..... (b) weighing 500 g and less together with the immediate container.....	65 p.c. 65 p.c.
Ex 256 (4)	Salmonoids, prepared in any manner, packed in air-tight receptacles.....	70 p.c.
Ex 256 (4)	Small clupeoid fish, designated "Canadian Sardines", caught near the shores of North America, marinated in vinegar, oil, sauces, stuffed or otherwise prepared, in air-tight receptacles. <i>Note to ex 256 (4):</i> —Certificates issued by the proper Canadian Authorities to the effect that the said fish have been caught near the shores of North American shall be required in each particular case on importation into Poland.	65 p.c.
Ex 258 (1)	Lobsters, prepared in any manner, packed in air-tight receptacles.	75 p.c.
510	Leather, varnished, bronzed, silvered, gilded, painted or similarly processed:— (1) Whole and halves..... (2) Cuttings and pieces.....	55 p.c. 55 p.c.
Ex 516 (1)	Silver (black) fox skins, raw.....	80 p.c.
794	Chemical wood-pulp, bleached containing water:—	
Sub-item 2	(b) 50 p.c. or less:— I. When imported by papermills for the manufacture of paper on the grounds of a permit issued by the Minister of Finance. II. Other wood-pulp.....	46·66 p.c. 33·33 p.c.
Ex 1248 (6)	Ice skates.....	35 p.c.

SCHEDULE B

POLISH PRODUCTS SUBJECT ON THEIR IMPORTATION INTO CANADA TO THE INTERMEDIATE TARIFF RATES LESS DISCOUNTS AS HEREINAFTER INDICATED BASED UPON PERCENTAGES OF THE RATES PAYABLE BY VIRTUE OF SAID INTERMEDIATE TARIFF OR FREE.

Number of Item in Canadian Customs Tariff	Designation of Articles	—
Ex 8	Canned hams	Intermediate Tariff less a discount of 20 p.c.
Ex 71 b	Clover seed	Intermediate Tariff less a discount of 25 p.c.
72 c	Seed of the sugar beet, for agricultural purposes.	Free.
Ex 85	Mushrooms, dried, the weight of the packages to be included in the weight for duty.	Intermediate Tariff less a discount of 45 p.c.
Ex 169	Books, viz.:—Novels or works of fiction, or literature of a similar character, printed in Poland and in the Polish or Ukrainian language, unbound or paper bound in sheets, but not to include Christmas annuals or publications com- monly known as juvenile and toy books.	Free.
Ex 171	Books, printed, periodicals and pamph- lets, or parts thereof, n.o.p., when printed in Poland and in the Polish or Ukrainian language, not to include blank account books, copy books, or books to be written or drawn upon.	Free.
Ex 208	Sulphate of ammonia	Free.
Ex 308	Manufactures of alabaster, n.o.p.	Intermediate Tariff less a discount of 25 p.c.
Ex 326	Cut, pressed, moulded or crystal glass tableware, decorated or not; blown glass tableware and other cut glass ware.	Intermediate Tariff less a discount of 10 p.c.
Ex 345	Zinc dust and sheets	Free.
Ex 502	Staves of oak, sawn, split or cut, not further manufactured than listed or jointed.	Free.
519	House, office, cabinet or store furniture of wood, iron or other material, in parts or finished.	Intermediate Tariff less a discount of 10 p.c.
Ex 549 a	Horse hair, not further manufactured than simply cleaned and dipped or dyed.	Free.
Ex 549 b	Horse hair, curled or dyed, n.o.p.	Intermediate Tariff less a discount of 15 p.c.

SCHEDULE B—Concluded

Number of Item in Canadian Customs Tariff	Designation of Articles	—
Ex 585	Pine pitch; and pine tar, crude, in packages of not less than fifteen gallons.	Free.
Ex 599	Hides and skins of cattle, raw, whether dry, salted or pickled.	Free.
601	Fur skins of all kinds, not dressed in any manner.	Free.
622	Trunks, valises, hat boxes, carpet bags, tool bags, and baskets of all kinds, n.o.p.	Intermediate Tariff less a discount of 12½ p.c.
Ex 624	Ornaments, statues and statuettes, of alabaster.	Intermediate Tariff less a discount of 15 p.c.
654	Bristles, broom corn, and hair brush pads.	Free.
Ex 657 a	Cinematograph or moving picture films, positives, made in Poland and speaking the Polish or Ukrainian languages, one and one-eighth of an inch in width and over.	Intermediate Tariff less a discount of 50 p.c.

CANADA

TREATY SERIES, 1936

No. 16

INTERNATIONAL AGREEMENT

FOR DISPENSING WITH

CONSULAR VISAS ON BILLS OF HEALTH

Signed at Paris December 22, 1934
Adhered to by Canada April 8, 1936

IN FORCE OCTOBER 8, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

Price, 25 cents

INTERNATIONAL AGREEMENT
FOR DISPENSING WITH
CONSULAR VISAS ON BILLS OF HEALTH

Signed at Paris December 22, 1934
Adhered to by Canada April 8, 1936

IN FORCE OCTOBER 8, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

(Translation)

AGREEMENT FOR DISPENSING WITH CONSULAR VISAS ON BILLS OF HEALTH

The under-mentioned Governments desiring, in accordance with the spirit of article 49 (4) and of article 57 of the International Sanitary Convention, signed at Paris on the 21st June, 1926, to reduce as far as possible the formalities to which merchant vessels are subject, the undersigned, provided with full powers found in good and due form, have agreed to the following provisions:—

1. Each of the Contracting Governments undertakes not to require in the ports of its metropolitan territory that the bills of health of vessels registered in the metropolitan territories of the other Contracting Governments, from whatever place arriving, shall bear visas issued by its consular officers.

2. Each of the Contracting Governments undertakes not to require such vessels on calling at its ports to produce any documents such as a consular bill of health or any other kind of certificate or to comply with formalities which would render ineffective the exemption provided for in article 1.

3. (a) Each of the Contracting Governments at the time of signing or acceding to this agreement may declare that it intends to make it applicable to all or to any of its colonies, overseas territories, protectorates or territories under its suzerainty or mandate.

(b) It shall likewise have the right subsequently to accede to this agreement in respect of all or part of its colonies, overseas territories, protectorates or territories under its suzerainty or mandate by notifying the French Government in writing. In this case the accession shall take effect six months after the date of such notification.

(c) At any time after the expiration of the period of five years mentioned in article 5 any Contracting Government may, by a notification in writing to the French Government, declare that this agreement shall cease to apply to all or to any of its colonies, overseas territories, protectorates or territories under its suzerainty or mandate, to which it has been extended under the terms of the foregoing paragraphs. Such declaration shall take effect six months after the said notification.

(d) The French Government shall immediately inform the Contracting Governments and the International Office of Public Health of any notifications which it may receive under the provisions of the two preceding paragraphs, indicating at the same time the date of each notification.

(e) Vessels registered in any territory to which this agreement is applicable under the previous paragraphs of this article shall be entitled to the benefits of the provisions of articles 1 and 2.

4. Any Government which is not a signatory of the present agreement, other than the Government of any of the territories mentioned in article 3, may accede to it hereafter at any time. Such accession shall be effected by notification in writing to the French Government and shall take effect six months after the date of such notification. The French Government shall notify the Contracting Governments and the International Office of Public Health of each accession and of the date of the notification.

5. The present agreement may be denounced by any Contracting Government at any time after the expiration of five years from this day. Denunciation shall be effected by means of a notification in writing to the French Government and shall take effect six months after the date of notification.

6. The French Government shall immediately notify the Contracting Governments and the International Office of Public Health of any denunciations received and of the date of each denunciation.

The present agreement shall not prevent any of the Contracting Governments from concluding separate agreements among themselves or with non-contracting countries for dispensing with consular visas on bills of health. Every such agreement shall be deposited with the French Government, which shall inform the International Office of Public Health and the Governments parties to the present agreement.

In witness whereof the respective Plenipotentiaries have signed the present agreement, which shall take effect on the 1st April, 1935.

Done at Paris on the 22nd December, 1934, in a single copy which shall be deposited in the archives of the French Government.

For Australia:

GEORGE R. CLERK

For Great Britain:

GEORGE R. CLERK

For Denmark:

(Subject to ratification.)

O. SEHESTED

For Estonia:

(The present Agreement will take effect in respect of Estonia from the date of the notification of the Estonian ratification to the French Government.)

O. STRANDMAN

For France:

PIERRE LAVAL

For Greece:

POLITIS

For Latvia:

(In signing the present Agreement the Latvian Government declares that it accepts the waiving of the visa only on condition that bills of health are issued by Government officials or persons duly sworn.)

O. GROSVOLD

For Lithuania:

(By signing the present Agreement Lithuania does not intend to prejudice her future attitude towards the International Sanitary Convention of the 21st June, 1926.)

P. KLIMAS

For Norway:

H. H. BACHKE

For New Zealand:

GEORGE R. CLERK

For the Netherlands:

(In accordance with article 3 (a), the present Agreement shall apply to the Netherlands East Indies and Surinam.)

J. LOUDON

For Sweden:

EINAR HENNINGS

For the Union of South Africa:

ERIC H. LOUW

For the Union of Soviet Socialist Republics:

MARCEL ROSENBERG

For Yugoslavia:

M. SPALAIKOVITCH

CANADA

TREATY SERIES, 1936

No. 17

PROCÈS-VERBAL

RELATING TO THE

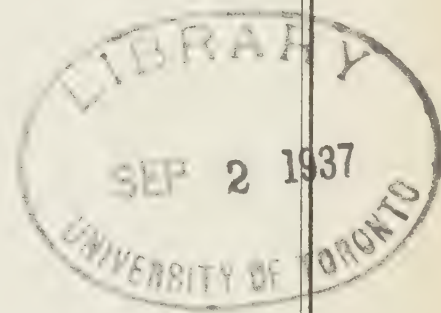
RULES OF SUBMARINE WARFARE

SET FORTH IN PART IV

OF THE

TREATY OF LONDON OF APRIL 22, 1930

Signed at London November 6, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
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1937

Price, 25 cents

PROCÈS-VERBAL
RELATING TO THE
RULES OF SUBMARINE WARFARE

SET FORTH IN PART IV
OF THE
TREATY OF LONDON OF APRIL 22, 1930

SIGNED AT LONDON
November 6, 1936

PROCÈS-VERBAL
CONCERNANT
LES RÈGLES DE LA GUERRE SOUS-MARINE

CONTENUES DANS LA PARTIE IV
DU
TRAITÉ DE LONDRES DU 22 AVRIL 1930

SIGNÉ À LONDRES
le 6 novembre 1936



**PROCÈS-VERBAL RELATING TO THE RULES OF SUBMARINE WAR-
FARE SET FORTH IN PART IV OF THE TREATY OF LONDON
OF APRIL 22, 1930***

WHEREAS the Treaty for the Limitation and Reduction of Naval Armaments signed in London on the 22nd April, 1930,¹ has not been ratified by all the signatories;

And whereas the said Treaty will cease to be in force after the 31st December, 1936, with the exception of Part IV thereof, which sets forth rules as to the action of submarines with regard to merchant ships as being established rules of international law, and remains in force without limit of time;

And whereas the last paragraph of Article 22 in the said Part IV states that the High Contracting Parties invite all other Powers to express their assent to the said rules;

And whereas the Governments of the French Republic and the Kingdom of Italy have confirmed their acceptance of the said rules resulting from the signature of the said Treaty;

And whereas all the signatories of the said Treaty desire that as great a number of Powers as possible should accept the rules contained in the said Part IV as established rules of international law;

The Undersigned, representatives of their respective Governments, bearing in mind the said Article 22 of the Treaty, hereby request the Government of the United Kingdom of Great Britain and Northern Ireland forthwith to communicate the said rules, as annexed hereto, to the Governments of all the Powers which are not signatories of the said Treaty, with an invitation to accede thereto definitely and without limit of time.

RULES

“(1) In their action with regard to merchant ships, submarines must conform to the rules of International Law to which surface vessels are subject.

“(2) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.”

Signed in London, the 6th day of November, nineteen hundred and thirty-six.

For the Government of the United States of America:
ROBERT WORTH BINGHAM

For the Government of the Commonwealth of Australia:
S. M. BRUCE

For the Government of Canada:
VINCENT MASSEY

* In order to dispel doubts which had arisen as to the proper procedure to be followed concerning the general acceptance of the rules contained in part IV, and in view of the fact that the 1930 Naval Treaty has not been ratified by all signatories, the present Procès-Verbal was signed thus enabling the United Kingdom Government to invite all non-signatory powers to accede to the said rules definitely and without limit of time.

¹ See Treaty series, 1930, No. 16.

PROCÈS-VERBAL CONCERNANT LES RÈGLES DE LA GUERRE SOUS-MARINE CONTENUES DANS LA PARTIE IV DU TRAITÉ DE LONDRES DU 22 AVRIL 1930*

CONSIDÉRANT que le Traité pour la limitation et la réduction des armements navals signé à Londres le 22 avril 1930¹ n'a pas été ratifié par tous les signataires;

que ledit Traité cessera d'être en vigueur à partir du 31 décembre 1936, sauf la Partie IV du Traité où sont énoncées, comme règles établies du Droit International, certaines dispositions concernant l'action des sous-marins à l'égard des navires de commerce, cette Partie demeurant en vigueur sans limite de durée;

que dans le dernier alinéa de l'Article 22 de ladite Partie IV il est déclaré que les Hautes Parties Contractantes invitent toutes les autres Puissances à exprimer leur assentiment auxdites règles;

que les Gouvernements de la République Française et du Royaume d'Italie ont confirmé leur acceptation desdites règles résultant de la signature dudit Traité;

et que tous les signataires dudit Traité désirent qu'un aussi grand nombre que possible de Puissances acceptent les règles contenues dans ladite Partie IV comme règles établies de droit international;

Les soussignés, représentants de leurs Gouvernements respectifs, vu les dispositions dudit Article 22 du Traité, invitent par les présentes le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord à communiquer immédiatement lesdites règles ci-annexées aux Gouvernements de toutes les Puissances non signataires dudit Traité, en les invitant à y accéder formellement et sans limite de temps.

RÈGLES

“(1) Dans leur action à l'égard des navires de commerce, les sous-marins doivent se conformer aux règles du Droit International auxquelles sont soumis les bâtiments de guerre de surface.

“(2) En particulier, excepté dans le cas de refus persistant de s'arrêter après sommation régulière ou de résistance active à la visite, un navire de guerre, qu'il soit bâtiment de surface ou sous-marin, ne peut couler ou rendre incapable de naviguer un navire de commerce sans avoir au préalable mis les passagers, l'équipage et les papiers de bord en lieu sûr. A cet effet, les embarcations du bord ne sont pas considérées comme un lieu sûr, à moins que la sécurité des passagers et de l'équipage ne soit assurée, compte tenu de l'état de la mer et des conditions atmosphériques par la proximité de la terre ou la présence d'un autre bâtiment qui soit en mesure de les prendre à bord.”

Signé à Londres, le 6 novembre, mil neuf cent trente-six.

Pour le Gouvernement des Etats-Unis d'Amérique:
ROBERT WORTH BINGHAM

Pour le Gouvernement du Commonwealth d'Australie:
S. M. BRUCE

Pour le Gouvernement du Canada:
VINCENT MASSEY

* Afin de faire disparaître les doutes qui s'étaient élevés quant à la procédure à suivre relative à l'acceptation générale des règles contenues dans ladite Partie IV, et étant donné que le Traité de Londres de 1930 n'a pas été ratifié par tous les signataires, le présent Procès-Verbal fut signé pour permettre au Gouvernement du Royaume-Uni d'inviter toutes les puissances non signataires à accéder auxdites règles formellement et sans limite de temps.

¹ Voir recueil des traités, 1930, N° 16.

For the Government of the French Republic:
CHARLES CORBIN

For the Government of the United Kingdom of Great
Britain and Northern Ireland:
ANTHONY EDEN
J. RAMSAY MACDONALD
SAMUEL HOARE

For the Government of India:
R. A. BUTLER

For the Government of the Irish Free State:
JOHN W. DULANTY

For the Government of the Kingdom of Italy:
DINO GRANDI

For the Government of Japan:
SHIGERU YOSHIDA

For the Government of New Zealand:
W. J. JORDAN

For the Government of the Union of South Africa:
C. T. TE WATER

Pour le Gouvernement de la République Française
CHARLES CORBIN

Pour le Gouvernement du Royaume-Uni de Grande-
Bretagne et d'Irlande du Nord:
ANTHONY EDEN
J. RAMSAY MACDONALD
SAMUEL HOARE

Pour le Gouvernement de l'Inde:
R. A. BUTLER

Pour le Gouvernement de l'Etat Libre d'Irlande:
JOHN W. DULANTY

Pour le Gouvernement du Royaume d'Italie:
DINO GRANDI

Pour le Gouvernement du Japon:
SHIGERU YOSHIDA

Pour le Gouvernement de la Nouvelle-Zélande:
W. J. JORDAN

Pour le Gouvernement de l'Union de l'Afrique du Sud:
C. T. TE WATER

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CANADA

TREATY SERIES, 1936
No. 18

CONVENTION

CONCERNING

THE RIGHTS OF NATIONALS

AND

COMMERCIAL AND SHIPPING MATTERS

BETWEEN

CANADA

AND

FRANCE

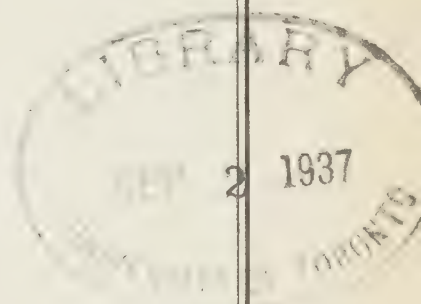
Signed at Ottawa May 12, 1933

Ratifications exchanged at Ottawa on November 5, 1936

IN FORCE NOVEMBER 10, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937



CONVENTION
CONCERNING THE RIGHTS OF NATIONALS
AND
COMMERCIAL AND SHIPPING MATTERS
BETWEEN
CANADA and FRANCE

SIGNED AT OTTAWA
May 12, 1933

CONVENTION
CONCERNANT LES DROITS DE NATIONAUX
ET LES
QUESTIONS DE COMMERCE ET DE NAVIGATION
ENTRE
le CANADA et la FRANCE

SIGNÉ À OTTAWA
le 12 Mai 1933

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the President of the French Republic, being desirous of developing the relations between Canada and France, have resolved to conclude a convention for that purpose, and have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Right Honourable RICHARD BEDFORD BENNETT,
Prime Minister, President of the Privy Council
and Secretary of State for External Affairs;

The Honourable CHARLES HAZLITT CAHAN, Secretary
of State of Canada;

The President of the French Republic:

Monsieur MARC CHARLES ARSÈNE HENRY, Envoy
Extraordinary and Minister Plenipotentiary of
the French Republic in Canada, Officer of the
National Order of the Legion of Honour;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following provisions:

ARTICLE 1

The nationals of either of the High Contracting Parties shall be entitled to enter, sojourn, travel, and circulate in the territory of the other and depart therefrom in conformity with the laws and regulations applicable to foreigners of the most favoured foreign nation.

This provision shall not affect the existing rights of either of the High Contracting Parties to enact laws in relation to the immigration of foreigners and to define the status of foreign workers and salaried persons.

ARTICLE 2

The present Article, to the exclusion of all other Articles, shall regulate fiscal matters in relation to individuals.

The nationals of either of the High Contracting Parties shall not be submitted, in respect of their persons, property, rights and interests, profession, occupation, business or industry and in general in all matters in the territory of the other to rates, taxes, imposts or contributions of whatever description, and without regard to the authority on behalf of which they are levied, other or higher than those which are imposed on nationals in similar circumstances; they shall enjoy particularly under the same conditions as nationals the reductions or exemptions of imposts or taxes and statutory reductions including those which are accorded for family charges.

They shall enjoy the same treatment and the same protection before the fiscal authorities and jurisdictions as nationals of the other Party or as nationals of the most favoured foreign nation.

The above provisions shall not interfere with the collection as the case may be either of taxes called sojourn taxes, or of taxes relating to compliance with police regulations so long as these taxes shall be imposed on other aliens. The rate of these taxes shall not be higher than that of the taxes imposed on the nationals of any other foreign State.

Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires britanniques au-delà des Mers, Empereur des Indes, au nom du Dominion du Canada, et le Président de la République Française, désireux de développer les relations entre le Canada et la France, ont résolu de conclure une convention à cet effet et ont nommé pour leurs plénipotentiaires respectifs, savoir:

Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires britanniques au-delà des Mers, Empereur des Indes, pour et au nom du Dominion du Canada:

Le Très Honorable RICHARD BEDFORD BENNETT, Premier Ministre, Président du Conseil Privé et Secrétaire d'Etat aux Affaires extérieures;

L'Honorable CHARLES HAZLITT CAHAN, Secrétaire d'Etat du Canada;

Le Président de la République Française:

Monsieur MARC CHARLES ARSÈNE HENRY, Envoyé Extraordinaire et Ministre Plénipotentiaire de la République Française au Canada, Officier de l'Ordre National de la Légion d'Honneur;

Qui, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des dispositions ci-après:

ARTICLE PREMIER

Les ressortissants de chacune des Hautes Parties Contractantes sont autorisés à pénétrer sur le territoire de l'autre Partie, à y séjourner, à y voyager et circuler et à en partir, conformément aux lois et règlements applicables aux étrangers de la nation étrangère la plus favorisée.

La présente disposition ne porte pas atteinte aux droits de l'une ou de l'autre des Hautes Parties Contractantes d'édicter des lois en matière d'immigration des étrangers et de régler le régime des travailleurs et salariés étrangers.

ARTICLE 2

Le présent article, à l'exclusion de tous autres, règle les dispositions fiscales concernant les particuliers.

Les ressortissants de chacune des Hautes Parties Contractantes ne seront pas assujettis, en ce qui concerne leur personne, propriétés, droits et intérêts, profession, occupation, commerce ou industrie et, en général, en toutes matières, sur le territoire de l'autre, à des droits, taxes, impôts ou contributions, sous quelque dénomination que ce soit, et sans égard pour le compte de qui ils sont perçus, autres ou plus élevés que ceux qui seront perçus sur les nationaux, dans les situations identiques; ils bénéficieront notamment, dans les mêmes conditions que les nationaux, des réductions ou exemptions d'impôts ou taxes et des dégrèvements à la base, y compris les déductions accordées pour charges de famille.

Ils jouiront du même traitement et de la même protection auprès des autorités et juridictions fiscales que les nationaux ou les ressortissants de la nation étrangère la plus favorisée de l'autre Partie.

Les dispositions qui précèdent ne font pas obstacle à la perception, le cas échéant, soit de taxes dites de séjour, soit de taxes afférentes à l'accomplissement des formalités de police, tant que ces taxes seront perçues sur les autres étrangers.

Le taux de ces taxes ne pourra pas être supérieur à celui des taxes perçues sur les ressortissants de tout autre Etat étranger.

The High Contracting Parties agree to conclude a convention on the subject of fiscal matters in relation to societies or companies and on the subject of double taxation.

ARTICLE 3

The nationals of either of the High Contracting Parties in the territory of the other shall be at full liberty to acquire, possess, rent, occupy every description of property, movable and immovable, rights and interests, to dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, to exercise business, industry, trade and profession, to the same extent as may be permitted by the laws of the other Party to the nationals of any other foreign State.

In matter of requisitions and prestations other than those provided for in Article 4, they shall enjoy the most favoured foreign nation treatment.

Moreover, each of the High Contracting Parties agrees not to impose upon persons, societies or companies, nationals of the other High Contracting Party, in respect of property, rights and interests which they legally possess, any measure of disposition, limitation, restriction or expropriation, for reasons of public utility or of general interest, which shall not be applicable under the same conditions to its own nationals or societies. The indemnities, to which these measures will give rise, shall be accorded upon the conditions prescribed either for the benefit of nationals, societies or companies of the country, or of nationals, societies or companies of the most favoured foreign nation, at the option of those interested.

ARTICLE 4

The nationals of each of the High Contracting Parties shall be exempted from all compulsory personal military service whatsoever and from all personal military prestations. They shall similarly be exempted from all taxes levied in lieu of such service and prestations. They shall be subject to military requisitions on their property, movable and immovable, under the same conditions as nationals of the other Party, or as the nationals of the most favoured foreign nation, at the option of those interested.

They shall similarly be exempted from all judicial, administrative and municipal functions other than those imposed by the laws relating to juries.

ARTICLE 5

The nationals of each of the High Contracting Parties in the territory of the other shall enjoy free access to the courts of justice, either as plaintiffs or as defendants in all jurisdictional processes established by law, without other conditions, restrictions or taxes than those imposed on nationals with the exception of the "*cautio judicatum solvi*", and, like them, they shall be at liberty in all causes to have recourse to the services of advocates, attorneys, solicitors or other agents selected from among the persons admitted to the exercise of those professions of legal order by the laws in force in the territory in question.

ARTICLE 6

Merchants and manufacturers, nationals of one of the High Contracting Parties, as well as merchants and manufacturers domiciled and exercising their commerce or industry in the territories of such High Contracting Party, may, in the territories of the other, either personally or by means of commercial travellers, make purchases and collect orders with or without samples, and such merchants, manufacturers and their commercial travellers, while so making purchases and collecting orders, shall, in the matter of taxation, and also in respect of all other facilities and charges, enjoy the most favoured foreign nation treatment.

Articles imported as samples for the purposes above-mentioned shall, in each country, be temporarily admitted free of duty with a reservation that they shall

Les Hautes Parties Contractantes conviennent de conclure une convention au sujet des matières fiscales intéressant les sociétés ou compagnies et au sujet des doubles impositions.

ARTICLE 3

Les ressortissants de chacune des Hautes Parties Contractantes auront, sur le territoire de l'autre Partie, pleine liberté d'acquérir, posséder, louer, occuper tous biens, meubles et immeubles, droits et intérêts, d'en disposer par vente, échange, donation, mariage, testament ou de toute autre manière, d'exercer le commerce, l'industrie, les métiers et professions, dans la même mesure ou les lois de cette autre Partie permettent de le faire aux ressortissants de tout autre pays.

En matière de réquisitions et prestations autres que celles prévues à l'article 4, ils jouiront du traitement de la nation étrangère la plus favorisée.

En outre, chacune des Hautes Parties Contractantes s'engage à ne prendre vis-à-vis des biens, droits et intérêts possédés légalement par les personnes et sociétés ou compagnies, ressortissant de l'autre Partie, aucune mesure de disposition, limitation, restriction ou d'expropriation, pour cause d'utilité publique ou d'intérêt général qui ne soit applicable dans les mêmes conditions, à ses nationaux ou sociétés. Les indemnités auxquelles ces mesures donneraient lieu seront accordées dans les conditions prévues, au profit soit des ressortissants, sociétés ou compagnies du pays, soit des ressortissants, sociétés ou compagnies de la nation étrangère la plus favorisée, au choix des intéressés.

ARTICLE 4

Les ressortissants de chacune des Hautes Parties Contractantes seront exemptés de tout service militaire personnel et de toutes prestations militaires personnelles. Il seront également exemptés de toute taxe imposée en remplacement de ce service ou de ces prestations. Ils seront soumis aux réquisitions militaires sur leurs biens, meubles et immeubles, dans les mêmes conditions soit que les nationaux de l'autre Partie, soit que les ressortissants de la nation étrangère la plus favorisée, au choix des intéressés.

Ils seront de même exemptés de toute fonction judiciaire, administrative et municipale autre que celle imposée par les lois relatives au jury.

ARTICLE 5

Les ressortissants de chacune des Hautes Parties Contractantes auront, sur le territoire de l'autre Partie, libre accès auprès des cours de justice, soit comme demandeurs, soit comme défendeurs, à tous les degrés de juridiction reconnus par la loi sans d'autres conditions, restrictions ou taxes que celles imposées aux nationaux, à l'exception de la caution *judicatum solvi*, et ils auront, comme ces derniers, pleine liberté de recourir, en toutes instances, aux services d'avocats, avoués, procureurs, ou autres agents choisis parmi les personnes admises à exercer ces professions d'ordre judiciaire par les lois en vigueur sur le territoire en question.

ARTICLE 6

Les commerçants et industriels ressortissants de l'une des Hautes Parties Contractantes, ainsi que les commerçants et industriels domiciliés et exerçant leur commerce ou leur industrie sur ses territoires, pourront, sur les territoires de l'autre, soit en personne, soit par l'entremise de représentants de commerce, effectuer des achats et recueillir des commandes, avec ou sans échantillons, et lesdits commerçants, industriels, ainsi que leurs représentants de commerce jouiront pour faire leurs achats et recueillir leurs commandes, du traitement de la nation étrangère la plus favorisée en matière de taxation, ainsi que pour toutes autres facilités ou charges.

Les articles importés comme échantillons pour les fins ci-dessus mentionnées seront, dans chacun des deux pays, admis en franchise de droits, sous réserve de

comply with the Customs regulations and other formalities established to assure their re-exportation or the payment of the prescribed Customs duties if not re-exported within the period allowed by law. However, this exemption shall not extend to articles which, owing to their quality or value, cannot be considered as samples, nor to articles which, owing to their nature, could not be identified upon re-exportation. In all cases the determination of the question whether the samples are qualified for admission duty-free rests exclusively with the competent authorities of the place where the importation is effected.

ARTICLE 7

The societies, companies, corporations, civil and commercial, limited liability or other companies, of industry, finance, insurance, transport and other societies of an economic character and for lucrative purposes, constituted in either of the two countries in conformity with the laws of that country and having therein their head office, shall be reciprocally recognized and shall have the right to appear in courts. The legality of their constitutions and their capacity and those of their branches and agencies shall be determined according to their charters and the law of the country where they have been constituted.

The said societies, companies and corporations of either of the High Contracting Parties shall be at liberty, upon the territory of the other Party, in conformity with the laws and regulations of the latter, to establish themselves, to create agencies and branches. They shall enjoy in all respects and in all matters the treatment of the most favoured foreign nation.

It is understood that the foregoing provisions are applicable to societies, companies, and corporations which were constituted before the signature of the present Convention as well as to those which may be constituted subsequently.

ARTICLE 8

Each of the High Contracting Parties shall be at liberty to appoint consuls-general, consuls, vice-consuls and consular agents to reside in the towns and ports of the territory of the other to which such consuls or agents of any other State are admitted. Such consuls-general, consuls, vice-consuls and consular agents, however, shall not enter upon their functions until after they shall have been accepted and admitted in the usual form by the Government to which they are accredited.

The heads of posts, titular or acting, as well as the agents of the consular service, chancellors, attachés or others, on condition of reciprocity, shall enjoy the personal privileges, immunities and exemptions such as are or may be accorded to similar agents of the same class and grade of the most favoured foreign nation.

The High Contracting Parties agree to conclude a convention with a view to determining and defining the powers and functions of these agents.

ARTICLE 9

Goods shipped from the territory of one of the High Contracting Parties with a destination in the territory of the other Party, on the railways of the latter, in relation to conditions and costs of transportation, and to rates and taxes of every description affecting transportation, shall receive as favourable treatment as that which is generally applicable to similar goods in the interior traffic, under the same conditions, for the same directions and for the same distances, and shall enjoy the most favoured foreign nation treatment.

ARTICLE 10

Goods shipped from the territory of one of the High Contracting Parties, in transit through the territory of the other Party, in relation to the condi-

l'accomplissement des réglementations douanières et autres formalités établies à l'effet d'assurer leur réexportation ou le paiement des droits de douane exigibles, au cas où ils ne seraient pas réexportés au cours du délai fixé par la loi. Toutefois, cette exemption ne s'appliquera pas aux articles qui, à cause de leur qualité ou de leur valeur, ne peuvent être considérés comme échantillons, non plus qu'aux articles qui, à cause de leur nature, ne pourraient être identifiés au moment de la réexportation. Dans tous les cas, c'est exclusivement aux autorités compétentes du lieu par où l'importation est effectuée qu'il appartiendra de résoudre la question de savoir si les échantillons sont qualifiés pour bénéficier de l'admission en franchise.

ARTICLE 7

Les sociétés, compagnies, corporations, civiles et commerciales, anonymes ou autres, industrielles, financières, d'assurances, de transports et autres sociétés de caractère économique et à but lucratif, constituées dans l'un des deux pays, conformément aux lois de ce pays, et y ayant leur siège social sont réciproquement reconnues et pourront ester en justice.

La légalité de leur constitution et leur capacité et celles de leurs succursales et agences sont déterminées d'après leurs statuts et la loi du pays où elles ont été constituées.

Lesdites sociétés, compagnies ou corporations de l'une des Hautes Parties Contractantes pourront, sur le territoire de l'autre Partie, en se conformant aux lois et règlements de cette dernière, s'établir, créer des agences et des succursales. Elles jouiront à tous égards et en toutes matières du traitement de la nation étrangère la plus favorisée.

Il est entendu que les dispositions ci-dessus s'appliquent aux sociétés, compagnies, corporations qui étaient constituées avant la signature du présent traité, de même qu'à celles qui seront constituées ultérieurement.

ARTICLE 8

Chacune des Hautes Parties Contractantes aura la liberté de nommer des consuls généraux, consuls, vice-consuls et agents consulaires avec résidence dans les villes et ports du territoire de l'autre Partie où sont admis des consuls ou agents de tout autre Etat. Ces consuls généraux, consuls, vice-consuls et agents consulaires n'entreront pas, cependant, en fonctions avant qu'ils n'aient été agréés et admis, suivant les formes ordinaires, par le Gouvernement auprès duquel ils sont accrédités.

Les chefs de poste, titulaires ou intérimaires, ainsi que les agents du service consulaire, chanceliers, attachés ou autres, jouiront, sous condition de réciprocité, des privilèges, immunités et exemptions personnels qui sont ou seront accordés aux agents de même ordre et grade de la nation étrangère la plus favorisée.

Les Hautes Parties Contractantes conviendront de conclure une convention pour déterminer et préciser les pouvoirs et fonctions de ces agents.

ARTICLE 9

Les marchandises expédiées du territoire de l'une des Hautes Parties Contractantes à destination du territoire de l'autre Partie seront soumises sur les chemins de fer de cette dernière, en ce qui concerne les conditions et les prix de transport, ainsi que les droits et taxes de toute nature grevant les transports, à un régime aussi favorable que le régime général appliqué aux mêmes marchandises dans le trafic intérieur, dans les mêmes conditions, pour les mêmes directions et sur les mêmes parcours, et bénéficieront du traitement de la nation étrangère la plus favorisée.

ARTICLE 10

Les marchandises expédiées du territoire de l'une des Hautes Parties Contractantes en transit par le territoire de l'autre Partie seront soumises, en ce qui

tions and costs of transportation, and to rates and taxes affecting transportation, shall receive as favourable treatment as that which is generally applicable to the transportation of similar goods in traffic with a third State under the same conditions for the same directions and for the same distances.

ARTICLE 11

Each of the High Contracting Parties shall assure to the vessels of the other Party in the maritime ports placed under its sovereignty, authority or protection, and within its territorial waters, the same treatment in every respect as is accorded to its own vessels or to those of the most favoured foreign nation. This equality of treatment, which is extended only to works appertaining to the state or public establishments, applies namely: to freedom of access to the ports, their use, the full enjoyment of the benefits accorded to navigation, the commercial operations of vessels, their cargoes and passengers, facilities of all kinds in relation to allocation of berths, loading and unloading, dues and charges of all kinds levied in the name or for the account of the Government, public authorities, concessionaries or undertakings of any kind.

The provisions of the preceding paragraph in no way restrict the liberty of the competent authorities of a maritime port to take such measures as they may deem expedient for the proper conduct of the business of the port, provided that these measures comply with the principle of equality of treatment as above defined.

ARTICLE 12

All dues and charges for the use of maritime ports shall be duly published before coming into force.

The same shall apply to the by-laws and regulations of the ports.

In each maritime port the port authorities shall keep open for inspection by all persons concerned a table of the dues and charges in force, as well as a copy of the by-laws and regulations.

ARTICLE 13

The vessels of either of the High Contracting Parties may enter into one or several maritime ports of the other either for the purpose of landing the whole or part of their cargoes, goods and passengers brought from abroad, or for the purpose of taking on board the whole or part of their cargoes, goods and passengers for a foreign destination.

The High Contracting Parties agree that the coasting trade, as well as fishing and hunting within territorial waters shall be exempted from the provisions of this Article and remain exclusively under their national laws. The same shall apply to towage, provided that the provisions of Articles 11 and 12 are complied with.

The same shall apply to pilotage; where pilotage is compulsory the charges and services rendered shall be subject to the provisions of Articles 11 and 12.

Each of the High Contracting Parties, however, shall be at liberty to exempt from the obligations of compulsory pilotage such of its nationals as possess the necessary technical qualifications.

Exemption is made from the provisions of the present Convention with regard to:

- (1) The advantages which are or may be accorded to the products of national fishing.
- (2) The advantages which either of the High Contracting Parties may extend to its nationals as a means of facilitating the development of its merchant marine, either as premiums or subsidies for the building or the acquisition of merchant vessels, or premiums or rewards to the merchant marine.

concerne les conditions et les prix de transport ainsi que les droits et taxes grevant les transports, à un régime aussi favorable que le régime général appliqué aux transports des mêmes marchandises dans le trafic avec un tiers Etat, dans les mêmes conditions, pour les mêmes directions et sur les mêmes parcours.

ARTICLE 11

Chacune des Hautes Parties Contractantes assurera aux navires de l'autre Partie, dans les ports maritimes placés sous sa souveraineté, son autorité ou sa protection et dans ses eaux territoriales le même traitement, à tous égards, qu'à ses propres navires ou à ceux de la nation étrangère la plus favorisée. Cette égalité de traitement qui ne vise que les emplacements dépendant de l'Etat ou des établissements publics s'appliquent notamment : à la liberté d'accès des ports, à leur utilisation, à la complète jouissance des commodités accordés à la navigation, aux opérations commerciales pour les navires, leurs marchandises ou leurs passagers, aux facilités de toutes sortes relatives à l'attribution de places à quai, au chargement et au déchargement, aux droits et taxes de toute nature perçues au nom et pour le compte du Gouvernement, des autorités publiques, des concessionnaires ou établissements de toutes sortes.

Les dispositions de l'alinéa précédent ne restreignent aucunement la liberté des autorités compétentes d'un port maritime dans l'application des mesures qu'elles jugent convenable de prendre en vue de la bonne administration du port, pourvu que ces mesures soient conformes au principe de l'égalité de traitement tel qu'il est défini ci-dessus.

ARTICLE 12

Tous les droits et taxes pour l'utilisation des ports maritimes devront être dûment publiés avant leur mise en vigueur.

Il en sera de même des règlements de police et d'exploitation.

Dans chaque port maritime, l'administration du port tiendra à la disposition des intéressés un recueil des droits et taxes en vigueur, ainsi que des règlements de police et d'exploitation.

ARTICLE 13

Les navires de chacune des Hautes Parties Contractantes pourront se rendre dans un ou plusieurs ports maritimes de l'autre, soit pour y débarquer tout ou partie de leurs cargaisons, marchandises et passagers, en provenance de l'étranger, soit pour y embarquer tout ou partie de leurs cargaisons, marchandises et passagers, à destination de l'étranger.

Les Hautes Parties Contractantes conviennent que le cabotage ainsi que la pêche et la chasse dans les eaux territoriales ne seront pas soumis aux dispositions de cet article mais resteront exclusivement soumis à leurs lois particulières.

Il en sera de même du remorquage, à la condition que les dispositions des articles 11 et 12 soient observées.

Il en sera de même du pilotage. Dans le cas où celui-ci sera obligatoire, les tarifs et services rendus seront soumis aux dispositions des articles 11 et 12.

Toutefois, chacune des Hautes Parties Contractantes pourra exempter de l'obligation de pilotage ceux de ses nationaux qui remplissent des conditions techniques déterminées.

Il est fait exception aux stipulations de la présente Convention en ce qui concerne :

- 1° les avantages dont les produits de la pêche nationale sont ou pourront être l'objet;
- 2° les avantages que chacune des Hautes Parties Contractantes pourrait consentir à ses ressortissants comme moyens de favoriser le développement de sa marine marchande, à titre soit de primes ou subventions pour la construction ou l'acquisition des navires de commerce, soit de primes ou encouragements à la marine marchande.

For all matters concerned in this Article, the High Contracting Parties shall reciprocally accord to each other most favoured foreign nation treatment.

ARTICLE 14

Canadian merchant vessels complying with the regulations relative to public order and safety as well as with local laws and regulations, shall enjoy the most favoured foreign nation treatment in the maritime ports of French Colonies.

ARTICLE 14 (*bis*)

The provisions of Articles 13 to 19 inclusive, of the present Convention, apply to all national vessels, whether they are owned by one of the High Contracting Parties or by private individuals, or companies or public bodies, nationals of one of the High Contracting Parties.

They do not apply, however, in any way, to warships or vessels performing functions of police or control, nor in general to vessels under any title of public authority, nor any other vessels which are exclusively employed for the purposes of the naval, military or air forces of one of the High Contracting Parties.

In like manner, the present Convention does not apply to fishing vessels.

ARTICLE 15

The nationality of vessels shall be reciprocally determined by each of the High Contracting Parties, according to the national law of the vessel concerned and on the proof furnished in conformity therewith.

The words "vessels of the High Contracting Parties" as used in this convention, in relation to vessels of His Majesty, shall mean vessels registered in Canada.

ARTICLE 16

In the maritime ports of one of the High Contracting Parties, the master of a merchant vessel of the other Party, if through illness or for any other reasons a ship is short of crew, may, in conformity with local laws and regulations, engage the seamen necessary to continue the voyage, it being understood that the engagement shall always be made with the free consent of the seamen and in conformity with the laws of the country to which the ship belongs.

ARTICLE 17

Subject to the application of the respective laws of both countries regulating emigration, the shipping of one of the High Contracting Parties engaged in the transport of passengers and emigrants shall enjoy in the other country the same treatment in every respect as national shipping, or as that of the most favoured foreign nation.

Subject to the same reservation, this equality of treatment shall apply particularly to their agencies, their vessels and to the passengers and emigrants which they carry both on outward and inward voyages, whatever their point of origin or of destination.

ARTICLE 18

It shall be free for any vessel of one of the High Contracting Parties which may be compelled by bad weather or by force majeure to take shelter in a maritime port of the other party, to refit therein, to procure all necessary stores and to put to sea again without paying other dues or charges than those which, in the same circumstances, are paid by national vessels.

Pour toutes les matières visées par le présent article, les Hautes Parties Contractantes s'accorderont réciproquement le traitement de la nation étrangère la plus favorisée.

ARTICLE 14

Dans les ports maritimes des Colonies françaises, les navires de commerce canadiens bénéficieront, en se conformant aux dispositions d'ordre public et de sûreté ainsi qu'aux lois et règlements locaux, du traitement de la nation étrangère la plus favorisée.

ARTICLE 14 BIS

Les dispositions des articles 13 à 19 inclusivement de la présente Convention s'appliquent à tous navires, qu'ils appartiennent à l'une des Hautes Parties Contractantes, ou à des particuliers, ou à des sociétés ou à des collectivités publiques ressortissant de l'une des Hautes Parties Contractantes.

Toutefois, elles ne visent en aucune manière les navires de guerre, ni les navires de police ou de contrôle, ni, en général, les navires exerçant à un titre quelconque la puissance publique, ni tous les autres navires lorsque ceux-ci servent exclusivement aux fins de forces navales, militaires ou aériennes de l'une des Hautes Parties Contractantes.

De même, la présente Convention ne vise en aucune manière les navires de pêche.

ARTICLE 15

La détermination de la nationalité des navires sera faite réciproquement par chacune des Hautes Parties Contractantes, d'après la loi du pavillon et sur les justifications fournies conformément à cette loi.

L'expression "navires des Hautes Parties Contractantes" employée dans la présente Convention se rapportant aux navires de Sa Majesté, signifie les navires enregistrés au Canada.

ARTICLE 16

Dans les ports maritimes de l'une des Hautes Parties Contractantes, les capitaines de navire de commerce de l'autre Partie dont les équipages ne seraient plus au complet par suite de maladies ou d'autres causes, pourront, en se conformant aux lois et règlements locaux, engager les marins nécessaires à la continuation du voyage, étant entendu que l'engagement, toujours librement consenti par le marin, sera conclu en conformité de la loi du pavillon du navire.

ARTICLE 17

Sous réserve de l'application des lois respectives des deux pays réglementant l'émigration, les entreprises de navigation de l'une des Hautes Parties Contractantes effectuant le transport des passagers et des émigrants jouiront, dans l'autre pays, du même traitement à tous égards que les entreprises de navigation nationales ou que celles de la nation étrangère la plus favorisée. Sous la même réserve, cette égalité de traitement s'appliquera notamment à leurs agences, à leurs navires et aux passagers et émigrants qu'elles transportent à l'aller et au retour, quelle que soit leur provenance ou leur destination.

ARTICLE 18

Il sera loisible à tout navire de l'une des Hautes Parties Contractantes qui y aura été contraint par le mauvais temps, ou par un cas de force majeure, de se réfugier dans un port maritime de l'autre Partie, de s'y réparer, de s'y procurer tous les approvisionnements nécessaires et de reprendre la mer, sans avoir à payer d'autres droits ou taxes que ceux qui, dans les mêmes circonstances, sont perçus sur les navires nationaux.

If, however, the master of a vessel, which has taken shelter in a maritime port in the circumstances contemplated in the preceding paragraph, is obliged to sell part of his cargo in order to defray expenses, he shall be obliged to comply with the local regulations and tariffs.

ARTICLE 19

If a vessel of one of the High Contracting Parties be stranded or shipwrecked on the coast of the other, both the vessel and her cargo shall enjoy the same favours and exemptions as the laws of the country grant to its own vessels in the same circumstances. The master, the crew and the passengers shall be rendered the same aid and assistance as nationals of the country where the vessel is stranded would be entitled to by law. The vessel and her cargo shall enjoy the same privileges.

The ships or their wrecks, including machinery, rigging, apparatus, furniture, accessories of all kinds and documents salvaged shall be delivered to their owner or to his duly authorized representative, provided a request to that effect is made by him within the limits of time provided for by the local law. The same shall apply to goods salvaged. In case of sale, the proceeds shall be paid to the said owner, after deduction of the costs.

Where the owner or his representative fails to do so, the consular authority of one of the High Contracting Parties of which the owner is a national may claim the delivery of goods salvaged or the proceeds of their sale.

The goods and objects of every description salvaged from such wrecks shall not be subjected to the payment of any Customs duty unless admitted for internal consumption.

ARTICLE 20

If a dispute arises between the High Contracting Parties in regard to the proper interpretation or application of this Convention which cannot be solved by diplomatic means, the matters in dispute shall be submitted to the Permanent Court of International Justice at the Hague, under the conditions and in accordance with the procedure provided by its Statutes.

ARTICLE 21

The present Convention shall be ratified and the ratifications shall be exchanged at Ottawa as soon as possible.

It shall come into force on the date which the High Contracting Parties shall fix by joint agreement.

ARTICLE 22

The present Convention shall remain in force until the expiration of a period of six months after the date on which one of the High Contracting Parties shall have notified the other of his intention to terminate it.

IN WITNESS WHEREOF the respective plenipotentiaries duly authorized, have signed the present Convention unto which they have affixed their seals.

Done in duplicate in English and French at Ottawa on the twelfth day of May in the year of Our Lord one thousand nine hundred and thirty-three.

R. B. BENNETT (SEAL)

C. H. CAHAN (SEAL)

Au cas cependant où le capitaine d'un navire, qui se serait réfugié dans un port maritime dans les circonstances, prévues au précédent paragraphe, se trouverait dans la nécessité de vendre une partie de sa cargaison afin de couvrir ses frais, il serait tenu de se conformer aux règlements et tarifs locaux.

ARTICLE 19

Si un navire de l'une des Hautes Parties Contractantes s'échoue ou fait naufrage sur les côtes de l'autre Partie, il bénéficiera, ainsi que sa cargaison, des faveurs et des exemptions que les lois du pays accordent aux navires nationaux dans de pareilles circonstances.

Le commandant, l'équipage et les passagers recevront les mêmes secours et assistance que ceux auxquels peuvent prétendre, selon la loi, les nationaux du pays où le navire est en détresse. Le navire et sa cargaison jouiront de ces mêmes bénéfices.

Les navires ou leurs débris, y compris les machines, agrès, appareils, meubles, accessoires de toute nature et documents sauvés du naufrage, seront remis au propriétaire ou à son représentant dûment autorisé, s'il en fait la demande dans les délais prévus par la loi locale. Il en sera de même des marchandises sauvées. En cas de vente, le produit en sera versé audit propriétaire, déduction faite des frais.

L'autorité consulaire de celle des Hautes Parties Contractantes à laquelle ressortit le propriétaire pourra, à défaut de celui-ci ou de son représentant, requérir la remise des objets sauvés ou de leur produit en cas de vente.

Les marchandises et objets de toute nature qui auront été sauvés du naufrage ne seront assujettis à aucun droit de douane à moins qu'ils ne soient admis à la consommation intérieure.

ARTICLE 20

Si un différend se produit entre les Hautes Parties Contractantes au sujet de l'interprétation ou de l'application de la présente Convention et si ce différend ne peut se régler par la voie diplomatique, les questions en discussion seront portées devant la Cour permanente de Justice internationale de La Haye, sous les conditions et selon la procédure prévue par ses statuts.

ARTICLE 21

La présente Convention sera ratifiée et les ratifications en seront échangées à Ottawa dès que faire se pourra.

Elle entrera en vigueur à la date que les Hautes Parties Contractantes fixeront d'un commun accord.

ARTICLE 22

La présente Convention demeurera en vigueur jusqu'à l'expiration d'un délai de six mois à compter de la date à laquelle l'une des Hautes Parties Contractantes aura notifié à l'autre son intention d'y mettre fin.

EN FOI DE QUOI les plénipotentiaires respectifs dûment autorisés ont signé la présente Convention et y ont apposé leur cachet.

Fait en double exemplaire, en anglais et en français, à Ottawa, le douzième jour de mai en l'an de grâce mil neuf cent trente-trois.

CHARLES ARSÈNE HENRY (SEAL)

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CANADA

TREATY SERIES, 1936

No. 19

PAYMENTS AGREEMENT

BETWEEN

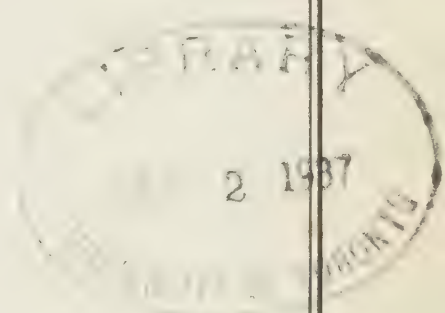
CANADA

AND

GERMANY

Signed at Ottawa October 22, 1936

IN FORCE NOVEMBER 15, 1936



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1937

PAYMENTS AGREEMENT

between

CANADA AND GERMANY

Signed at Ottawa, October 22nd, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1936

Payments Agreement between Canada and Germany
Signed at Ottawa, October 22nd, 1936

The Government of Canada and the Government of the German Reich, desiring to facilitate payments for the exchange of goods between Canada and Germany, have concluded the following Agreement:—

ARTICLE I

The German Government shall make available for the purchase of Canadian goods the foreign exchange accruing from German exports to Canada.

The amount of the foreign exchange accruing from German exports to Canada shall be ascertained by the Reichsbank, which will examine regularly the foreign exchange declarations (Exportvaluta-Erklärungen) submitted by German exporters respecting their shipments to Canada and compute the total amount of foreign exchange accruing therefrom.

On or about the fifteenth day of each calendar month, the German Government shall inform the Government of Canada as to the amount of the foreign exchange accruing from the export to Canada in the previous month of articles, produced or manufactured in Germany.

If there should be any significant variation or discrepancy between the monthly statements furnished by the German Government of the foreign exchange accruing from German exports to Canada and the corresponding Canadian Customs entries of imports of German goods into Canada, both Governments shall accord facilities to representatives nominated for the purpose to determine the cause of such variation or discrepancy and to advise as to the steps that may be taken to correct it.

ARTICLE II

The amount of foreign exchange made available for the purchase of articles, produced or manufactured in Canada, shall be established for each calendar month in accordance with the provisions of Paragraph 1 of Article I. This amount will correspond to the receipts of foreign exchange for the last month but one computed in accordance with the provisions of Paragraph 2 of Article I.

ARTICLE III

In order to assure the introduction without difficulty of the procedure provided for in this Agreement, an adequate amount of foreign exchange shall be made available for the purchase of articles, produced or manufactured in Canada, during the first two months following the coming into force of the Agreement, without regard to the amount of foreign exchange accruing in the previous months.

ARTICLE IV

The Supervising Offices (Ueberwachungsstellen) shall be empowered by the Reich Foreign Exchange Control Administration (Reichsstelle fuer Devisenbewirtschaftung) to grant to German importers foreign exchange certificates

**Zahlungsabkommen zwischen Deutschland und Kanada,
Unterzeichnet zu Ottawa am 22. Oktober, 1936.**

Die Deutsche Regierung und die Kanadische Regierung haben zur Erleichterung der Zahlungen im Warenverkehr zwischen Deutschland und Kanada folgendes Abkommen getroffen:

ARTIKEL I.

Die Deutsche Regierung wird die fuer deutsche Ausfuhren nach Kanada anfallenden Devisen fuer den Bezug kanadischer Waren bereitstellen.

Die Hoehe des Devisenerloeses der deutschen Ausfuhr nach Kanada wird in der Weise ermittelt, dass die Reichsbank die von den deutschen Ausfuhrern ueber Ausfuhren nach Kanada erstatteten Exportvaluta-Erklaerungen laufend ueberprueft und die hieraus ersichtlichen Devisenanfaelle zusammenrechnet.

Die Deutsche Regierung wird der Kanadischen Regierung Mitte jeden Kalendermonats den Betrag der im vorangegangenen Monat aus der Ausfuhr von in Deutschland erzeugten oder hergestellten Waren nach Kanada angefallenen Devisen mitteilen.

Sollten die von der Deutschen Regierung monatlich mitgeteilten Betraege der aus der deutschen Ausfuhr nach Kanada angefallenen Devisen einerseits und die entsprechenden Eintragungen der kanadischen Zollstellen ueber die Einfuhr deutscher Waren nach Kanada andererseits bedeutende Unterschiede oder Differenzen aufweisen, so werden beide Regierungen ihren besonders dafuer bestellten Vertretern alle Erleichterungen gewaehren, um die Ursache solcher Unterschiede aufzuklaeren und Vorschlaege zu deren Beseitigung zu machen.

ARTIKEL II.

Der fuer den Bezug von in Kanada erzeugten oder hergestellten Waren bereitgestellte Devisenbetrag wird fuer jeden Kalendermonat gemaess den Bestimmungen des Artikels I Absatz 1 festgesetzt. Dieser Betrag entspricht dem Deviseneingang fuer den vorletzten Kalendermonat, der gemaess den Bestimmungen des Artikels I Absatz 2 ermittelt wird.

ARTIKEL III.

Um einen reibungslosen Beginn der in diesem Abkommen getroffenen Regelung zu ermoeeglichen, wird fuer die beiden ersten Monate nach Inkrafttreten des Abkommens ein angemessener Devisenbetrag fuer den Bezug von in Kanada erzeugten oder hergestellten Waren bereitgestellt, ohne Ruecksicht auf den Devisenanfall der vorhergegangenen Monate.

ARTIKEL IV.

Die Ueberwachungsstellen werden von der Reichsstelle fuer Devisenbewirtschaftung ermaceutigt, den deutschen Einfuehrern Devisenbescheinigungen fuer den Ankauf von in Kanada erzeugten oder hergestellten Waren bis zur

for the purchase of articles, produced or manufactured in Canada, up to the monthly amounts provided for in Articles II and III. These foreign exchange certificates shall entitle the German importers to acquire from the offices of the Reichsbank or from the foreign exchange banks the foreign exchange required for the payment of articles, produced or manufactured in Canada.

ARTICLE V

In order to meet as far as possible the practical requirements of trade, the Supervising Offices (Ueberwachungsstellen) shall be authorized to grant in advance foreign exchange certificates for a period up to six months. The monthly amount of such foreign exchange certificates shall not exceed the monthly average of exports to Canada in the year 1935 of articles, produced or manufactured in Germany. If it should be found that, on the basis of the receipts of foreign exchange from Canada computed in accordance with the provisions of Paragraph 2 of Article I, the amount of foreign exchange certificates granted in advance is greater or less than the amount of foreign exchange which should be made available for the month in question in accordance with the provisions of Articles I and II, foreign exchange certificates shall be granted in the following months to a correspondingly lesser or greater amount.

ARTICLE VI

In the allocation of the amounts of available foreign exchange among the various classes of import commodities, the goods enumerated in the Schedule to this Agreement shall be dealt with on the basis of the percentages specified therein, up to the maximum annual amounts set forth in Column 3. The German Government will allocate the remainder of such foreign exchange for the purchase of any Canadian goods.

ARTICLE VII

Since an orderly execution of this Agreement is assured only if the foreign exchange resulting from German exports to Canada is available to the fullest extent, the German Government shall no longer permit in general any other kind of payment for the export to Canada of articles, produced or manufactured in Germany, such as compensation, Aski or blocked marks.

Notwithstanding the provisions of the preceding paragraph the German Government during the first six months this Agreement is in force may permit compensation transactions for the exchange of articles, produced or manufactured in Germany, against an equal value of articles, produced or manufactured in Canada, provided that such compensation transactions shall not conflict in any manner with the basis of allocation set forth in Article VI and the Schedule to this Agreement.

ARTICLE VIII

The provisions of this Agreement shall apply only to articles, produced or manufactured in Canada, which are shipped or sent direct from Canada to Germany, whether or not through ports in third countries and whether or not through, in the name of, or for the account of, persons resident in third countries.

Likewise the provisions of this Agreement shall apply only to articles, produced or manufactured in Germany, which are shipped or sent direct from Germany to Canada, whether or not through ports in third countries and whether or not through, in the name of, or for the account of, persons resident in third countries.

Hoehe der unter Artikel II und III vorgesehenen monatlichen Betraege zu erteilen. Diese Devisenbescheinigungen berechtigen den deutschen Einfuehrer, bei den Reichsbankanstalten oder den Devisenbanken die zur Bezahlung der in Kanada erzeugten oder hergestellten Waren erforderlichen Devisen zu erwerben.

ARTIKEL V.

Um den praktischen Beduerfnissen des Warenverkehrs moeglichst weitgehend Rechnung zu tragen, werden die Ueberwachungsstellen ermächtigt, Devisenbescheinigungen fuer einen Zeitraum bis zu 6 Monaten im voraus zu erteilen. Der monatliche Betrag darf den Monatsdurchschnitt der Ausfuhr von in Deutschland erzeugten oder hergestellten Waren nach Kanada im Jahre 1935 nicht uebersteigen. Wenn sich auf Grund der Deviseneingaenge aus Kanada, die gemass den Bestimmungen des Artikels I Absatz 2 festgestellt sind, herausstellen sollte, dass der Betrag der im voraus erteilten Devisenbescheinigungen hoeher oder geringer ist, als der fuer den betreffenden Monat gemass Artikel I und II bereitzustellende Devisenbetrag, so werden in den folgenden Monaten Devisenbescheinigungen in entsprechend niedrigeren oder hoeheren Betraegen ausgegeben.

ARTIKEL VI.

Bei Verteilung der verfuegbaren Devisenbeträge auf die verschiedenen Arten der Einfuhrwaren sollen die in der anliegenden Liste aufgefuehrten Waren mit den dort verzeichneten Prozentsaetzen bis zu den in Spalte 3 angegebenen jaehrlichen Hoechstbeträgen beruecksichtigt werden. Im uebrigen ist die Deutsche Regierung frei, die anfallenden Devisen fuer die Bezahlung kanadischer Waren nach ihrer Wahl zu verwenden.

ARTIKEL VII

Da eine ordnungsmaessige Durchfuehrung dieses Abkommens nur gewaehrleistet ist, wenn die aus der deutschen Ausfuhr nach Kanada erloesten Devisen im vollen Umfange eingehen, wird die Deutsche Regierung eine andersartige Bezahlung fuer die Ausfuhr von in Deutschland erzeugten oder hergestellten Waren, wie z.B. durch Kompensation, Aski oder Sperrmark, kuenftig im allgemeinen nicht mehr zulassen.

Ungeachtet der Bestimmungen im vorhergehenden Absatz kann die Deutsche Regierung waehrend der ersten sechs Monate nach dem Inkrafttreten dieses Abkommens Kompensationsgeschaeft fuer den Austausch von in Deutschland erzeugten oder hergestellten Waren gegen einen gleichen Wert fuer in Kanada erzeugte oder hergestellte Waren zulassen, vorausgesetzt, dass solche Kompensationsgeschaeft in keiner Weise den im Artikel VI und der Anlage aufgestellten Verteilungsgrundsatz beeintraechtigen.

ARTIKEL VIII

Die Bestimmungen dieses Abkommens gelten nur fuer in Kanada erzeugte oder hergestellte Waren, die von Kanada direkt nach Deutschland verschifft oder versandt werden, jedoch auch dann, wenn sie ueber Haefen in dritten Laendern oder durch Vermittlung, im Namen und fuer Rechnung von Personen, die ihren Wohnsitz in dritten Laendern haben, verschifft oder versandt werden.

In gleicher Weise sollen die Bestimmungen dieses Abkommens nur Anwendung finden auf in Deutschland erzeugte oder hergestellte Waren, die von Deutschland direkt nach Kanada verschifft oder versandt werden, jedoch auch dann, wenn sie ueber Haefen in dritten Laendern oder durch Vermittlung, im Namen und fuer Rechnung von Personen, die ihren Wohnsitz in dritten Laendern haben, verschifft oder versandt werden.

ARTICLE IX

Six months from the coming into force of this Agreement and every six months thereafter the Governments will communicate with each other in order to examine the working out of the Agreement. For this purpose the German Government as soon as possible will furnish the Government of Canada with a statement of the foreign exchange certificates which have been granted during each six months period.

ARTICLE X

In the event of the economic benefits anticipated by both Contracting Parties on concluding the present Agreement not being attained or in the event of either of the Contracting Parties considering itself at a disadvantage through developments unfavourable to its interests or through the adoption by the other Party of measures of an economic nature, either of the Contracting Parties may request that negotiations be commenced without delay with a view to effecting a mutually satisfactory adjustment of the matter. If such negotiations should not lead to a satisfactory settlement within four weeks from the date of receipt of the request, the Party which considers itself at a disadvantage shall have the right to terminate the present Agreement six weeks from the date of the receipt by the other Party of notification of termination.

ARTICLE XI

This Agreement shall come into force on November 15, 1936, and shall be binding for a period of one year from the date of coming into force, subject to the provisions of Article X. In case neither of the Contracting Parties shall have given notice to the other, two months before the expiration of the said period of one year, of its intention to terminate the present Agreement, it shall remain in force thereafter until the expiration of two months from the date on which either of the Contracting Parties shall have given to the other notice of its intention to terminate the Agreement.

In any event this Agreement shall cease to have effect from the date of the termination of the Trade Agreement concluded on this day between Canada and Germany.

In witness whereof the respective plenipotentiaries have signed this Agreement.

Done in duplicate at Ottawa, in English and German texts, both authentic, this twenty-second day of October, 1936.

W. D. EULER

HEMMEN

ARTIKEL IX

Alle 6 Monate nach Inkrafttreten dieses Abkommens werden beide Regierungen mit einander in Verbindung treten, um die Auswirkungen dieses Abkommens zu ueberpruefen. Zu diesem Zwecke wird die Deutsche Regierung der Kanadischen Regierung den Betrag der in den abgelaufenen 6 Monaten jeweils erteilten Devisenbescheinigungen sobald als moeglich mitteilen.

ARTIKEL X

Sollten sich die Erwartungen auf wirtschaftlichem Gebiet nicht erfuellen, von denen die beiden vertragschliessenden Teile beim Abschluss dieses Abkommens ausgegangen sind, oder sollte sich durch eine eingetretene unguenstige Entwicklung oder wegen von dem andern Teile ergriffener Massnahmen wirtschaftlicher Art ein Teil benachteiligt fuehlen, so kann jeder der beiden vertragschliessenden Teile unverzueglich Verhandlungen beantragen mit dem Ziele, Abhilfe zu schaffen. Sollten solche Verhandlungen binnen 4 Wochen, vom Tage des Eingangs des Antrages an gerechnet, nicht zu einem befriedigenden Ergebnis fuehren, so soll der Teil, der sich benachteiligt erachtet, das Recht haben, das vorliegende Abkommen mit sechswoechiger Frist, vom Tage des Eingangs der Kuendigung an gerechnet, zu kuendigen.

ARTIKEL XI

Dieses Abkommen tritt am 15. November 1936 in Kraft und gilt, vorbehaltlich der Bestimmungen des Artikels X, fuer ein Jahr vom Tage des Inkrafttretens an gerechnet. Sofern keiner der vertragschliessenden Teile dem andern zwei Monate vor dem Ablauf der genannten Frist von einem Jahre von seiner Absicht Mitteilung macht, das gegenwaertige Abkommen zu beenden, bleibt es weiterhin solange in Kraft, bis es von einem der vertragschliessenden Teile mit zweimonatiger Frist gekuendigt wird.

Auf jeden Fall wird dieses Abkommen gleichzeitig mit dem heute zwischen Deutschland und Kanada abgeschlossenen vorlaeufigen Handelsabkommen ausser Kraft treten.

Zu Urkund dessen haben die beiderseitigen Bevollmaechtigten dieses Abkommens unterzeichnet.

Geschehen in doppelter Urschrift in deutscher und englischer Sprache zu Ottawa, am 22. Oktober, 1936.

W. D. EULER

HEMMEN

SCHEDULE

Column 1	Column 2	Column 3
Commodity	Percentage	Annual Maximum Value \$
Wheat*	35·0	No maximum
Apples, fresh	5·0	600,000
Apples, dried	0·6	60,000
Cheese	0·2	20,000
Honey	0·2	20,000
Sausage casings:		
Beef casings	0·5	60,000
(of which not more than one-third to be beef middles)		
Hog casings	0·25	No maximum
Seeds	1·25	160,000
Salmon, salted	2·5	275,000
Salmon, frozen	0·25	25,000
Salmon caviar	0·15	15,000
Eels, frozen	0·5	75,000
Lobsters, canned	0·2	20,000
Fishmeal	1·4	No maximum
Fish oil	2·0	No maximum
Black and silver fox skins, undressed	1·5	No maximum
Lumber, sawn	2·0	No maximum
Pegwood	0·2	20,000
Woodpulp	1·0	100,000
Asbestos	8·0	No maximum
Parts of agricultural machines	0·2	20,000
Ice hockey equipment (skates with and without boots, sticks, etc.)	0·2	20,000

* To be imported through the Reich Control Board for Grain and Feeding Stuffs, Berlin, or with its permission.

ANLAGE

1	2	3
	%	Jaehrlicher Hoechstwert \$
Weizen*)..	35,0	nicht begrenzt
Aepfel, frisch..	5,0	600 000
Aepfel, getrocknet..	0,6	60 000
Kaese..	0,2	20 000
Honig..	0,2	20 000
Daerme:		
Rinderdaerme..	0,5	60 000
davon jeweils nicht mehr als $\frac{1}{3}$ in Mittel- daermen		
Schweinedaerme..	0,25	nicht begrenzt
Saaten..	1,25	160 000
Gesalzener Lachs..	2,5	275 000
Gefrorener Lachs..	0,25	25 000
Lachskaviar..	0,15	15 000
Gefrorene Aale..	0,5	75 000
Hummern in Buechsen..	0,2	20 000
Fischmehl..	1,4	nicht begrenzt
Fischoel..	2,0	nicht begrenzt
Schwarz-und Silberfuchsfelle (unbearbeitet).. . .	1,5	nicht begrenzt
Schnittholz..	2,0	nicht begrenzt
Schuhstifthoelzer..	0,2	20 000
Zellstoff..	1,0	100 000
Asbest..	8,0	nicht begrenzt
Teile fuer landwirtschaftliche Maschinen.. . . .	0,2	20 000
Eishockeysausruestung (Schlittschuhe mit und ohne Stiefel, Schlaeger u.dergl.)..	0,2	20 000

*) Einzufuehren durch die Reichsstelle fuer Getreide und Futtermittel, Berlin, oder mit ihrer Zustimmung.

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Canada International
Treaties

CANADA

TREATY SERIES, 1937

No. 20

I N D E X

1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

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1937



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1938

TREATY SERIES, 1937

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GENERAL TREATIES TO WHICH CANADA IS A PARTY

No.	Nature of Instrument	Place and date of	
		Signature	Canadian Ratification (Deposit)
7	Convention. Conflict of Nationality Laws. Canada, Australia, Austria, Belgium, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Free City of Danzig, Egypt, Estonia, France, Germany, Great Britain and Northern Ireland, etc., Greece, Hungary, Iceland, Irish Free State, Italy, Japan, Latvia, Luxemburg, Mexico, Netherlands, Peru, Poland, Portugal, Salvador, Spain, Sweden, Switzerland, Union of South Africa, Uruguay, Yugoslavia.	The Hague, April 12, 1930	Geneva, April 6, 1934
16	Postal Convention of the Americas and Spain. Canada, Argentine, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Hayti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Salvador, Spain, United States, Uruguay, Venezuela.	Panama, December 22, 1936	Panama, May 27, 1937
11	Treaty. Limitation of Naval Armament. Canada, Australia, France, Great Britain and Northern Ireland, etc., India, New Zealand, United States.	London, March 25, 1936	London, July 29, 1937

TREATIES, ETC., WITH THE FOLLOWING COUNTRIES IN ALPHABETICAL ORDER

No.	Nature of Instrument	Place and date of	
		Signature	Ratification (Exchange)
4	Belgium. Supplementary Convention regarding legal proceedings in Civil and Commercial matters. Extended to Canada as from June 1, 1937, by an Exchange of Notes.	Brussels, November 4, 1932 Ottawa, May 1/27, 1937	London, June 18, 1934 Not required
6	Brazil. Exchange of Notes. Commercial Agreement to remain in effect until the coming into force of a Trade Agreement to be concluded.	Ottawa, June 12, 1937	Not required
5	Czechoslovakia. Convention regarding legal proceedings in Civil and Commercial matters. Extended to Canada as from June 1, 1937, by an Exchange of Notes.	Praha, February 15, 1935 Praha, May 1/7, 1937	London, July 30, 1935 Not required
12	France. Exchange of Notes. Commercial relations.	Paris, July 30, 1937	Not required
2	Germany. Exchange of Notes. Visits by Naval Vessels to Foreign ports.	Ottawa, March 1, 1937	Not required
17	Guatemala. Exchange of Notes. Commercial Arrangement to remain in effect until the coming into force of a Trade Agreement signed at Guatemala on September 28, 1937.	Guatemala, September 28, 1937	Not required
3	Hayti. Exchange of Notes. Extension of Commercial "Modus Vivendi" of 1935.	Port-au-Prince, April 15, 1937	Not required
1	Iceland. Exchange of Notes. Renewal of the Arbitration Convention of October 25, 1905.	London, March 22, 1937	Not required
15	New Zealand. Trade Agreement. Amendment in September, 1937, and extension until September 30, 1938, as amended in November, 1935.	Ottawa and Wellington, April 23, 1932	Not required
18	Salvador. Exchange of Notes. Commercial Arrangement to remain in effect until the coming into force of a Trade Agreement to be concluded.	San Salvador, November 2, 1937	Not required
14	United Kingdom. Trade Agreement.	Ottawa, February 23, 1937	Not required

TREATIES, ETC., WITH THE FOLLOWING COUNTRIES IN ALPHABETICAL ORDER

No.	Nature of Instrument	Place and date of	
		Signature	Ratification (Exchange)
9	United States. Convention. Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea.	Ottawa, January 29, 1937	Ottawa, July 28, 1937
10	United States. Convention. Protection, preservation and extension of the sock-eye salmon fisheries in the Fraser River system.	Washington, May 26, 1930	Washington, July 28, 1937
13	United States. Convention. Rates of Income Tax imposed upon non-resident individuals and corporations.	Washington, December 30, 1936	Washington, August 13, 1937
8	United States. Exchange of Notes. Extension for one year of the Agreement of September 15/16, 1932, as amended in 1935, concerning flights of military aircraft.	Ottawa, June 7/10, 1937	Not required
19	United States. Exchange of Notes. Reciprocal recognition of duly registered patent attorneys.	Washington, December 3/28, 1937	Not required

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CANADA

TREATY SERIES, 1937

No. 1

EXCHANGE OF NOTES

(March 22nd, 1937)

FOR THE

FURTHER RENEWAL OF THE ARBITRATION
CONVENTION OF OCTOBER 25, 1905

BETWEEN

HIS MAJESTY'S GOVERNMENTS IN THE
UNITED KINGDOM, CANADA, THE
COMMONWEALTH OF AUSTRALIA
AND NEW ZEALAND

AND

THE GOVERNMENT OF ICELAND

IN FORCE FOR FIVE YEARS FROM MAY 4, 1936



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1938

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EXCHANGE OF NOTES

(March 22nd, 1937)

FOR THE

FURTHER RENEWAL OF THE ARBITRATION
CONVENTION OF OCTOBER 25, 1905

BETWEEN

HIS MAJESTY'S GOVERNMENTS IN THE UNITED
KINGDOM, CANADA, THE COMMONWEALTH
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AND

THE GOVERNMENT OF ICELAND

IN FORCE FOR FIVE YEARS FROM MAY 4, 1936



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1938

**EXCHANGE OF NOTES (MARCH 22nd, 1937) FOR THE FURTHER
RENEWAL OF THE ARBITRATION CONVENTION OF OCTOBER
25th, 1905 BETWEEN HIS MAJESTY'S GOVERNMENTS IN THE
UNITED KINGDOM, CANADA, THE COMMONWEALTH OF
AUSTRALIA AND NEW ZEALAND AND THE GOVERNMENT OF
ICELAND**

*From the British Secretary of State for Foreign Affairs to the
Danish Minister at London*

FOREIGN OFFICE

LONDON, March 22, 1937.

SIR,

I have the honour to inform you that His Majesty's Governments in the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia and New Zealand, desire that the Anglo-Danish Arbitration Convention signed in London on the 25th October, 1905, and last renewed on the 10th October, 1935, with effect from the 4th May, 1931, should be regarded as having been renewed for a further period of five years from the 4th May, 1936, in respect of Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations, Canada, the Commonwealth of Australia and New Zealand, respectively on the one hand, and Iceland on the other.

2. I have the honour further to propose that, unless notice to terminate the Convention has been given one year before the expiry of the said period of five years, it shall continue to be in force without limit of time until one year from the date on which such notice is given. His Majesty's Governments above mentioned may respectively terminate the Convention separately in respect of Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations, Canada, Australia or New Zealand, as the case may be.

3. It will be understood that in place of reference to the Permanent Court of Arbitration as provided for in Article 1 and 2 of the aforesaid Convention of the 25th October, 1905, the reference shall, in any case arising, be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statute of that Court and in the Rules of Court adopted thereunder.

4. If the above proposals are accepted, I have the honour to suggest that the present note and your reply thereto in similar terms shall be regarded as constituting a formal agreement between His Majesty's Governments aforesaid on the one hand, and the Government of Iceland on the other.

I have, etc.

ANTHONY EDEN

*From the Danish Minister at London to the British Secretary of State
for Foreign Affairs*

DANISH LEGATION

LONDON, March 22, 1937.

SIR,

I have the honour to acknowledge receipt of your note of to-day's date and to inform you that the Government of Iceland are willing that the Anglo-Danish Arbitration Convention signed in London on the 25th October, 1905, and last renewed on the 10th October, 1935, with effect from the 4th May, 1931, should be regarded as having been renewed for a further period of five years from the 4th May, 1936, in respect of Iceland on the one hand, and Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations, Canada, the Commonwealth of Australia and New Zealand on the other.

2. I have the honour further to inform you that the Government of Iceland are willing that unless notice to terminate the Convention has been given one year before the expiry of the said period of five years, it shall continue to be in force without limit of time until one year from the date on which such notice is given. His Majesty's Governments above mentioned may respectively terminate the Convention separately in respect of Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations, Canada, the Commonwealth of Australia or New Zealand, as the case may be.

3. It will be understood that in place of reference to the Permanent Court of Arbitration, as provided for in Articles 1 and 2 of the aforesaid Convention of the 25th October, 1905, the reference shall, in any case arising, be made to the Permanent Court of International Justice in accordance with the procedure laid down in the Statute of that Court and in the Rules of Court adopted thereunder.

4. The present note and your note under reply shall be regarded as constituting a formal agreement between the Government of Iceland on the one hand, and His Majesty's Governments aforesaid on the other.

I have, etc.

P. F. AHLEFELDT LAURVIG

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CANADA

TREATY SERIES, 1937

No. 2

EXCHANGE OF NOTES

(March 1, 1937)

RELATING TO

VISITS BY NAVAL VESSELS TO FOREIGN PORTS

BETWEEN

CANADA AND GERMANY

IN FORCE MARCH 1, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
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1938

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EXCHANGE OF NOTES

(March 1, 1937)

RELATING TO

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IN FORCE MARCH 1, 1937



OTTAWA
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1938

**EXCHANGE OF NOTES (MARCH 1, 1937) RELATING TO VISITS BY
NAVAL VESSELS TO FOREIGN PORTS BETWEEN CANADA
AND GERMANY**

*The German Consul General for Canada to the Secretary of State for
External Affairs of Canada*

DEUTSCHES GENERALKONSULAT FÜR KANADA UND NEWFUNDLAND

OTTAWA. den 1. März 1937.

HERR STAATSEKRETAER,

Im Auftrag meiner Regierung, der es wünschenswert erscheint, die häufig beträchtlichen Kosten einzuschränken, die den betreffenden Landesbehörden und anderen bei Besuchen ausländischer Flotten entstehen, beehre ich mich, der Kanadischen Regierung folgende Vereinfachung des Verfahrens bei Besuchen deutscher Kriegsschiffe in kanadischen Häfen und kanadischer Kriegsschiffe in deutschen Häfen ergebenst vorzuschlagen.

Besuche dieser Art sind in zwei Kategorien, nämlich offizielle und nicht-offizielle Besuche, zu teilen. In der Regel sind Besuche, die auf Grund einer Einladung des andern Staates erfolgen, als offiziell und Besuche, zu denen die Initiative von demjenigen Staat ausgeht, dem die Schiffe angehören, als nicht-offiziell zu betrachten. Gleichzeitig mit der Anmeldung eines Besuches oder mit dem Gesuch um Erlaubnis hierzu ist bekannt zu geben, ob der Besuch als offiziell oder nicht betrachtet werden soll.

Bei offiziellen Flottenbesuchen soll an dem bisher gebräuchlichen offiziellen Empfang keine Änderung vorgenommen werden. Bei nichtoffiziellen Besuchen sollen die üblichen Höflichkeitsvisiten ausgetauscht werden, offizielle Empfaenge dagegen nicht vorkommen.

Sollte die Kanadische Regierung das vorstehend angeregte Verfahren gutheissen, so dürfte eine Vereinbarung dadurch als abgeschlossen betrachtet werden können, dass ich von Ihnen, Herr Staatssekretär, eine Mitteilung entsprechenden Inhalts empfangen.

Genehmigen Sie, Herr Staatssekretär, die Versicherung meiner ausgezeichnetsten Hochachtung.

L. KEMPF

(Translation)

GERMAN CONSULATE GENERAL FOR CANADA

OTTAWA, March 1st, 1937

SIR,

Upon instructions from my Government, who feel it desirable to limit the frequently considerable expense caused to national authorities and others concerned in connection with visits of foreign fleets, I have the honour to submit to the Canadian Government the following proposals for simplification of procedure in regard to visits of German warships to Canadian ports and of Canadian warships to German ports.

Such visits fall into two categories, namely, official and unofficial visits. Visits resulting from an invitation by the other country are normally to be regarded as official and visits made on the initiative of the country owning the ships as unofficial. The notification of a visit or the request for permission to make one should state whether the visit is to be considered official or not.

No alteration shall take place in the official reception hitherto customary in connection with official naval visits. In connection with unofficial visits the customary courtesy visits shall be exchanged, but there shall be no official reception. If the Canadian Government approves the procedure above suggested, it may be considered that an agreement has been concluded upon receipt by me from you, Sir, of a corresponding communication.

Accept, Sir, the assurance of my highest consideration.

L. KEMPFF

German Consul-General for Canada

The Secretary of State for External Affairs of Canada to the German Consul General for Canada

DEPARTMENT OF EXTERNAL AFFAIRS, CANADA

OTTAWA, March 1st, 1937.

SIR,

I have the honour to acknowledge your note of to-day submitting a proposal of the German Government to simplify the ceremonial relating to visits of Canadian naval vessels to German ports and of German naval vessels to Canadian ports.

The proposal is understood to be to the following effect:

Such visits fall into two categories, namely, official and unofficial visits. Visits resulting from an invitation by the other country are normally to be regarded as official and visits made on the initiative of the country owning the ships as unofficial. The notification of a visit or the request for permission to make one should state whether the visit is to be considered official or not.

No alteration shall take place in the official reception hitherto customary in connection with official naval visits. In connection with unofficial visits the customary courtesy visits shall be exchanged, but there shall be no official reception.

The Canadian Government accepts the proposal and will treat the present exchange of notes as having concluded an agreement accordingly.

I have the honour to be, etc.,

O. D. SKELTON

for the Secretary of State for External Affairs

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CANADA

TREATY SERIES, 1937

No. 3

EXCHANGE OF NOTES

(April 15, 1937)

PROLONGING

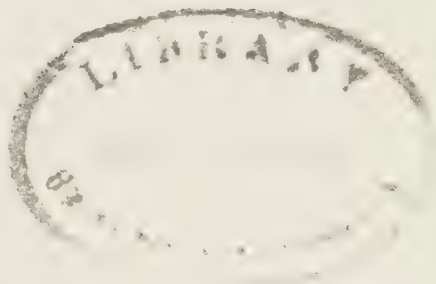
FOR A PERIOD OF ONE YEAR THE COMMERCIAL
"MODUS VIVENDI" OF 1935

BETWEEN

CANADA

AND

HAYTI



IN FORCE APRIL 15, 1937



OTTAWA

J. O. PATENAUDE, I.S.O.

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EXCHANGE OF NOTES

(April 15, 1937)

PROLONGING

FOR A PERIOD OF ONE YEAR THE COMMERCIAL
"MODUS VIVENDI" OF 1935

BETWEEN

CANADA

AND

HAYTI

IN FORCE APRIL 15, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

EXCHANGE OF NOTES (APRIL 15, 1937) PROLONGING
FOR A PERIOD OF ONE YEAR THE COMMERCIAL
"MODUS VIVENDI" OF 1935 BETWEEN
CANADA AND HAYTI

*The British Minister at Port-au-Prince to the Secretary of State for Foreign
Affairs of Hayti*

BRITISH LEGATION

No. 203/70/37

PORT-AU-PRINCE, April 15, 1937.

SIR,

With reference to my note of April 6, 1936, and the Haytian Government's reply of April 13, 1936, renewing for a period of one year from April 15th last, the "Modus Vivendi" between Hayti and Canada, I have the honour on behalf of His Majesty's Government in Canada to propose that, the terms of a definite commercial agreement having been now arranged, the "Modus Vivendi" which expires today shall be renewed for a further period of one year or until the date of ratification of the definitive agreement.

If Your Excellency's Government is in accord with this proposal the present note and Your Excellency's reply agreeing thereto may be taken as renewing the "Modus Vivendi" for the period herein suggested.

I avail myself of this opportunity to renew to Your Excellency the assurance of my high consideration.

F. M. SHEPHERD

(Translation)

*The Secretariat of State for Foreign Affairs of Hayti to the British Minister at
Port-au-Prince*

SECRETARIAT OF STATE FOR FOREIGN AFFAIRS

PORT-AU-PRINCE, April 15, 1937.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge receipt of the Note of the 15th instant No. 203/70/37 in which Your Excellency proposes, on behalf of His Majesty's Government in Canada, that the "Modus Vivendi" prolonged in April of last year and expiring today, be renewed for a further period of one year or until the date of ratification of the definitive Treaty the text of which has already been agreed between Your Excellency and myself.

In informing Your Excellency that I accede to the proposal respecting the renewal of the above-mentioned "Modus Vivendi" as from today's date for a period of one year or until such date as can be ratified the Convention which has already been agreed between us, I have pleasure in renewing the assurances of my highest consideration.

G. N. LEGER



CANADA

TREATY SERIES, 1937

No. 4

NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(May 1 and 27, 1937)

EXTENDING TO CANADA AS FROM JUNE 1, 1937

THE SUPPLEMENTARY CONVENTION

BETWEEN

HIS MAJESTY

AND

THE KING OF THE BELGIANS

RELATIVE TO

LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at Brussels November 4, 1932

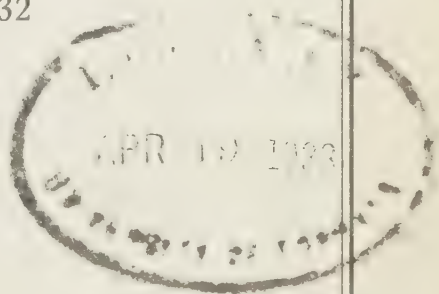


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NOTIFICATION EFFECTED BY AN
EXCHANGE OF NOTES
(May 1 and 27, 1937)
EXTENDING TO CANADA AS FROM JUNE 1, 1937
THE SUPPLEMENTARY CONVENTION
BETWEEN
HIS MAJESTY
AND
THE KING OF THE BELGIANS
RELATIVE TO
LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at Brussels November 4, 1932



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 1 AND 27, 1937) EXTENDING TO CANADA AS FROM JUNE 1, 1937, THE SUPPLEMENTARY CONVENTION BETWEEN HIS MAJESTY AND THE KING OF THE BELGIANS.

From the British Ambassador at Brussels to the Minister for Foreign Affairs of Belgium

BRITISH EMBASSY,
BRUSSELS, May 1, 1937.

No. 87

(243/2/37).

Monsieur le Ministre,

At the instance of His Majesty's Government in Canada I have the honour to notify to your Excellency, in accordance with Article 9 of the Supplementary Convention regarding legal proceedings in civil and commercial matters, which was signed at Brussels on November 4th, 1932, the accession of His Majesty to that Convention in respect of Canada.

2. In accordance with Article 9 of the Convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st June next.

3. In requesting that your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself, etc.,

ESMOND OVEY

(Translation)

From the Minister for Foreign Affairs of Belgium to the British Chargé d'Affaires at Brussels

No. 31029 AJ/GB/5.

BRUSSELS, May 27, 1937.

SIR,

With reference to the Embassy's note No. 87 (243/2/37) of May 1st, 1937, I have the honour to inform you that the King's Government record their agreement with the decision of the British Government to extend to Canada, as from the 1st June next, the application of the Anglo-Belgian Convention of November 4, 1932, relative to security for costs, legal assistance and imprisonment for debt.

I avail myself, etc.,

For the Minister:
The Secretary General,
F. VAN LANGENHOVE

**CONVENTION BETWEEN HIS MAJESTY IN RESPECT OF THE UNITED
KINGDOM AND HIS MAJESTY THE KING OF THE BELGIANS
SUPPLEMENTARY TO THE CONVENTION OF JUNE 21, 1922, TO
FACILITATE THE CONDUCT OF LEGAL PROCEEDINGS.**

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of the Belgians, being desirous of supplementing the Convention concluded between them for the purpose of facilitating the conduct of legal proceedings which was signed at London on the 21st June, 1922;

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

His Excellency the Right Honourable Earl Granville, his Ambassador Extraordinary and Plenipotentiary at Brussels; and

His Majesty the King of the Belgians:

M. Paul Hymans, his Minister of Foreign Affairs;

who, having communicated their full powers, found in good and due form, have agreed as follows:

I.—PRELIMINARY

ARTICLE 1

In this Convention the words:

(1) "territory of one (or of the other) High Contracting Party" shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies;

(2) "subject of one (or of the other) High Contracting Party" shall be deemed—

(a) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, to mean all subjects of His Majesty wherever domiciled, and shall include all persons under His Majesty's protection, and

(b) in relation to His Majesty the King of the Belgians to mean all subjects of His Majesty and the nationals of the Belgian Congo and of Ruanda-Urundi.

II

ARTICLE 2

Security for Costs

The subjects of one High Contracting Party resident in the territory of the other shall not be obliged to give security for costs in any case where the subjects of the latter High Contracting Party would not be so obliged in similar circumstances.

ARTICLE 3

Free Legal Assistance

(1) The subjects of one High Contracting Party shall in the territory of the other enjoy free legal assistance in the same manner as subjects of the latter High Contracting Party, provided they comply with the requirements of the law of the territory where free legal assistance is applied for.

(2) This article applies to criminal as well as to civil and commercial matters.

ARTICLE 4

Imprisonment for Debt

The subjects of one High Contracting Party shall not in the territory of the other High Contracting Party be liable to imprisonment as a means of execution for debt or as a conservatory measure in any case where the subjects of the latter would not be so liable.

III.—*General Provisions*

ARTICLE 5

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

ARTICLE 6

The present Convention, of which the English and French texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

ARTICLE 7

(1) This Convention applies to England and Wales. It shall not apply *ipso facto* to Scotland or Northern Ireland, nor to any of the Colonies or Protectorates of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any territories under His suzerainty, nor to any mandated territories in respect of which the mandate is exercised by His Government in the United Kingdom, but His Majesty may at any time, while this Convention is in force under article 6 by a notification given through His Ambassador at Brussels, extend the operation of the Convention to any of the above-mentioned territories.

(2) The date of the coming into force of any such extension shall be one month from the date of such notification.

(3) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (1) of this article terminate such extension on giving six months' notice of termination through the diplomatic channel.

(4) The termination of the Convention under article 6 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (1) of this article.

ARTICLE 8

(1) This Convention shall not apply *ipso facto* to the Belgian Congo or to the mandated territory of Ruanda-Urundi; but His Majesty the King of the Belgians may, at any time while this Convention is in force under article 6, or by virtue of any accession under article 9, extend the operation of the Convention to either of such territories by a notification given through the diplomatic channel.

(2) The provisions of paragraph (2) of article 7 shall apply to any such notifications.

(3) The provisions of paragraphs (3) and (4) of article 7 shall apply to any territories to which this Convention has been extended under paragraph (1) of this article.

ARTICLE 9

(1) The High Contracting Parties agree that His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, may at any time, while the present Convention is in force, either under article 6 or by virtue of any accession under this article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when His Majesty the King of the Belgians has given notice of termination in respect of all the territories of His Majesty to which the Convention applies. Any such accession shall take effect one month after the date of its notification.

(2) After the expiry of three years from the date of the coming into force of any accession under paragraph (1) of this article, either of the High Contracting Parties may, by giving six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under article 6 shall not affect its application to any such country.

(3) Any notification of accession under paragraph (1) of this article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (2) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and French texts, and have affixed thereto their seals.

Done in duplicate at Brussels the fourth day of November, 1932.

(L.S.) GRANVILLE
(L.S.) HYMANS

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CANADA

TREATY SERIES, 1937

No. 5

NOTIFICATION EFFECTED BY AN

EXCHANGE OF NOTES

(May 1 and 7, 1937)

EXTENDING TO CANADA AS FROM JUNE 1st, 1937

THE SUPPLEMENTARY CONVENTION

BETWEEN

HIS MAJESTY

AND

THE CZECHOSLOVAK REPUBLIC

RELATIVE TO

LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at Prague February 15, 1935

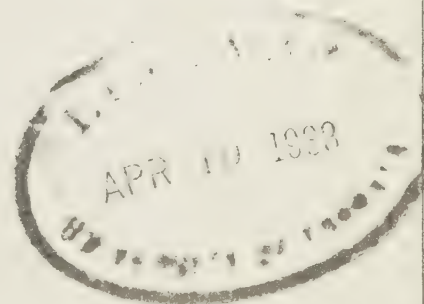


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NOTIFICATION EFFECTED BY AN
EXCHANGE OF NOTES
(May 1 and 7, 1937)
EXTENDING TO CANADA AS FROM JUNE 1st, 1937

THE SUPPLEMENTARY CONVENTION

BETWEEN

HIS MAJESTY

AND

THE CZECHOSLOVAK REPUBLIC

RELATIVE TO

LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS

Signed at Prague February 15, 1935



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 1 AND 7, 1937) EXTENDING TO CANADA AS FROM JUNE 1, 1937, THE SUPPLEMENTARY CONVENTION BETWEEN HIS MAJESTY AND THE CZECHOSLOVAK REPUBLIC RELATIVE TO LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS SIGNED AT PRAGUE FEBRUARY 15, 1935.

From the British Minister at Prague to the Minister for Foreign Affairs of Czechoslovakia.

BRITISH LEGATION

PRAGUE, May 1, 1937.

No. 37

(136/2/37)

YOUR EXCELLENCY,

At the instance of His Majesty's Government in Canada I have the honour to notify to Your Excellency, in accordance with Article 9 of the Supplementary Convention regarding legal proceedings in civil and commercial matters, which was signed at Prague on the 15th February, 1935, the accession of His Majesty to that convention in respect of Canada.

2. In accordance with Article 9 of the Convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 1st June next.

3. In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

B. C. NEWTON

From the Minister for Foreign Affairs of Czechoslovakia to the British Minister at Prague.

(Translation)

PRAGUE, May 7, 1937.

No. 59.532/11-5/37.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge letter No. 37/136/2/37 dated May 1, 1937, by which Your Excellency has kindly notified me of the accession of His Britannic Majesty on behalf of Canada to the Supplementary Convention relative to Civil Procedure signed at Prague, February 15, 1935.

I have noted that the accession thus notified will become effective on June 1, 1937.

I avail myself, etc.,

For the Minister
FIERLINGER

CONVENTION BETWEEN HIS MAJESTY IN RESPECT OF THE UNITED KINGDOM AND THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC SUPPLEMENTARY TO THE CONVENTION OF NOVEMBER 11, 1924, TO FACILITATE THE CONDUCT OF LEGAL PROCEEDINGS.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and

The President of the Czechoslovak Republic, being desirous of supplementing the Convention concluded between them for the purpose of facilitating the conduct of legal proceedings which was signed at London on the 11th November, 1924;

Have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

Sir Joseph Addison, K.C.M.G., His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Prague, and

The President of the Czechoslovak Republic:

Dr. Kamil Krofta, Envoy Extraordinary and Minister Plenipotentiary, and Dr. Antonin Koukal, Counsellor in the Ministry of Justice,

Who, having communicated their full powers, found in good and due form, have agreed as follows:

I. Preliminary

ARTICLE I

In this Convention the words:

(1) "Territory of one (or of the other) High Contracting Party" shall be interpreted:

(a) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, as meaning England and Wales and all territories in respect of which the Convention is in force by reason of extensions under article 8 or accessions under article 9; and

(b) in relation to the Czechoslovak Republic, Czechoslovakia.

(2) "Subjects (or citizens) of one (or of the other) High Contracting Party" shall be deemed:

(a) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, to mean all subjects of His Majesty wherever domiciled, and all persons under his protection;

(b) in relation to the Czechoslovak Republic to mean all Czechoslovak citizens; and

(c) in relation to both High Contracting Parties shall be deemed to include partnerships, companies, societies and other corporations constituted or incorporated under the laws of the territory of that High Contracting Party.

II. *Specific Provisions*

ARTICLE 2

Legal Protection and Access to the Courts of Justice

The subjects (or citizens) of one High Contracting Party shall enjoy in the territory of the other the same rights in respect of the legal protection of persons or property and shall have free access to the courts of justice for the prosecution or defence of their rights under the same conditions (including the taxes and fees payable) as subjects (or citizens) of the latter High Contracting Party.

ARTICLE 3

Security for Costs

The subjects (or citizens) of one High Contracting Party resident in the territory of the other shall not be obliged to give security for costs or court fees in any case where the subjects (or citizens) of the latter High Contracting Party would not be so obliged in similar circumstances.

ARTICLE 4

Free Legal Assistance

(1) The subjects (or citizens) of one High Contracting Party shall in the territory of the other enjoy free legal assistance in the same manner as subjects (or citizens) of the latter High Contracting Party, provided they comply with the requirements of the law of the territory where application for free legal assistance is made.

(2) This article applies to criminal as well as to civil and commercial matters.

ARTICLE 5

Imprisonment for Debt

The subjects (or citizens) of one High Contracting Party shall not in the territory of the other High Contracting Party be liable to imprisonment as a means of execution for debt or as a conservatory measure in any case where the subjects (or citizens) of the latter would not be so liable.

III. *General Provisions*

ARTICLE 6

Any difficulties which may arise in connection with the operation of this Convention shall be settled through the diplomatic channel.

ARTICLE 7

The present Convention, of which the English and Czechoslovak texts are equally authentic, shall be subject to ratification.

Ratifications shall be exchanged in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

ARTICLE 8

(1) This Convention shall not apply *ipso facto* to Scotland or Northern Ireland, the Channel Islands or the Isle of Man, nor to any of the Colonies, Overseas Territories or Protectorates of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any territories under his suzerainty, nor to any mandated territories in respect of which the mandate is exercised by his Government in the United Kingdom, but His Majesty may at any time, while this Convention is in force under article 7 by a notification given through his representative at Prague, extend the operation of the Convention to any of the above-mentioned territories.

(2) The date of the coming into force of any such extension shall be one month from the date of such notification.

(3) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (1) of this article terminate such extension on giving six months' notice of termination through the diplomatic channel.

(4) The termination of the Convention under article 7 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (1) of this article.

ARTICLE 9

(1) The High Contracting Parties agree that His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, may at any time, while the present Convention is in force, either under article 7 or by virtue of any accession under this article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when the President of the Czechoslovak Republic has given notice of termination in respect of all the territories of His Majesty to which the Convention applies. Any such accession shall take effect one month after the date of its notification.

(2) After the expiry of three years from the date of the coming into force of any accession under paragraph (1) of this article, either of the High Contracting Parties may, by giving six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under article 7 shall not affect its application to any such country.

(3) Any notification of accession under paragraph (1) of this article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (2) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention in duplicate in English and Czechoslovak texts, and have affixed thereto their seals.

Done in duplicate at Prague, the 15th day of February, 1935.

(L.S.) JOSEPH ADDISON

(L.S.) Dr. K. KROFTA

(L.S.) DR. A. KOUKAL

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CANADA
—
TREATY SERIES, 1937
No. 6

EXCHANGE OF NOTES
(June 12, 1937)

CONSTITUTING A
COMMERCIAL AGREEMENT

BETWEEN

CANADA,

AND

BRAZIL

—
IN FORCE JUNE 21, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

Price, 25 cents.

EXCHANGE OF NOTES

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AND

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IN FORCE JUNE 21, 1937



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1938

**EXCHANGE OF NOTES (JUNE 12, 1937) CONSTITUTING A
COMMERCIAL AGREEMENT BETWEEN CANADA
AND BRAZIL**

*From the Acting Secretary of State for External Affairs of Canada to the
Consul General of Brazil at Montreal*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, June 12, 1937.

SIR,

I have the honour to inform you that the Canadian Government is prepared to replace the notes exchanged on December 4, 1931, and July 25/30, 1936, between representatives of the Brazilian Government and His Majesty's Chargé d'Affaires at Rio de Janeiro, on behalf of the Government of Canada, by the following provisions:

1. Articles the produce or manufacture of Brazil shall not, on importation into Canada, be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

2. In order to secure the advantages aforesaid, such articles shall be conveyed without transshipment from Brazil, or from a port of a country enjoying the benefits of the British Preferential or Intermediate Tariff, into a sea, lake or river port of Canada.

3. Articles the produce or manufacture of Canada shall not, on importation into Brazil, be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

4. The tariff advantages set forth in paragraph three above do not extend to advantages now accorded by Brazil to adjacent countries in order to facilitate frontier traffic, or to the advantages granted to another country in virtue of a customs union already concluded or which may come into existence.

It is understood that the present note and your reply will constitute an agreement between our two Governments which will enter into force on June 21, 1937, and will remain in force pending the conclusion of a Trade Agreement between the two countries, negotiations for which will be undertaken forthwith. This Agreement may, however, be terminated by either Government after thirty days' notice.

Accept, Sir, the assurances of my highest consideration.

R. DANDURAND

Acting Secretary of State for External Affairs.

*From the Consul General of Brazil at Montreal to the Acting Secretary of State
for External Affairs*

CONSULADO DOS ESTADOS UNIDOS DO BRASIL EM MONTREAL

OTTAWA, 12 de Junho de 1937.

No. 72.

EXCELLENCIA,

Tenho a honra de accusar o recebimento da Nota de Vossa Excellencia, de 12 de Junho corrente, na qual me informa que o Governo Canadense está preparado para substituir as Notas trocadas em 4 de Dezembro de 1931 e em

25 e 30 de Julho de 1936, entre os Representantes do Governo Brasileiro e o Encarregado de Negocios de Sua Majestade no Rio de Janeiro, em nome do Governo do Canadá, pelas disposições seguintes:

“1. Os artigos produzidos ou manufacturados no Brasil não serão, quando importados no Canadá, sujeitos a mais elevados direitos ou encargos do que os cobrados sobre os artigos similares produzidos ou manufacturados em qualquer outro paiz estrangeiro.

2. Afim de assegurar as vantagens acima referidas, taes artigos serão transportados sem transbordo, do Brasil ou de um porto de um paiz que goze dos beneficios da Tarifa Preferencial Britannica ou da Tarifa Intermediaria, até um porto de mar, de lago ou de rio do Canadá.

3. Os artigos produzidos ou manufacturados no Canadá não serão, quando importados no Brasil, sujeitos a mais elevados direitos ou encargos do que os cobrados sobre os artigos similares produzidos ou manufacturados em qualquer outro paiz estrangeiro.

4. As vantagens tarifarias enunciadas no paragrapho tres, acima, não se estendem a vantagens presentemente concedidas pelo Brasil a paizes adjacentes para facilitar o trafego de fronteiras, ou a vantagens garantidas a um outro paiz em virtude de uma união aduaneira já concluida ou que venha a ser creada.

Fica entendido que a presente Nota e a sua resposta constituirão um accordo entre os dois Governos, o qual entrará em vigôr no dia 21 de Junho de 1937 e continuará em vigôr até a conclusão de um Accordo Commercial entre os dois paizes, para o qual serão iniciadas sem demora as negociações. O presente accordo poderá, entretanto, ser terminado, por um ou outro Governo, após um aviso prévio de trinta dias.”

Em resposta, tenho a honra de informar a Vossa Excellencia que as proposições que se referem ao tratamento tariffario das mercadorias Canadenses em sua importação no Brasil, enunciadas nos paragraphos tres e quatro, acima, consubstanciando de facto as disposições presentemente em vigôr no Brasil, o Governo Brasileiro aceita a proposta submettida na Nota de Vossa Excellencia a que me refiro.

Queira Vossa Excellencia aceitar os protestos da minha mais alta consideração.

ARNO KONDER

Consul Geral do Brasil

(Translation)

CONSULATE OF THE UNITED STATES OF BRAZIL AT MONTREAL

OTTAWA, June 12, 1937.

No. 72.

SIR,

I have the honour to acknowledge the receipt of your note of June 12, in which you inform me that the Canadian Government is prepared to replace the notes exchanged on December 4, 1931, and July 25/30, 1936, between representatives of the Brazilian Government and His Majesty's Chargé d'Affaires at Rio de Janeiro, on behalf of the Government of Canada, by the following provisions:

“1. Articles the produce or manufacture of Brazil shall not, on importation into Canada, be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

2. In order to secure the advantages aforesaid, such articles shall be conveyed without transshipment from Brazil, or from a port of a country enjoying the benefits of the British Preferential or Intermediate Tariff, into a sea, lake, or river port of Canada.

3. Articles the produce or manufacture of Canada shall not, on importation into Brazil, be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

4. The tariff advantages set forth in paragraph three above do not extend to advantages now accorded by Brazil to adjacent countries in order to facilitate frontier traffic, or to the advantages granted to another country in virtue of a customs union already concluded or which may come into existence.

It is understood that the present note and your reply will constitute an agreement between our two Governments which will enter into force on June 21, 1937, and will remain in force pending the conclusion of a Trade Agreement between the two countries, negotiations for which will be undertaken forthwith. This Agreement may, however, be terminated by either Government after thirty days' notice."

In reply, I have the honour to inform you that the proposals respecting the tariff treatment of Canadian goods on importation into Brazil set forth in paragraphs three and four above, incorporating as they do the provisions at present in effect in Brazil, the Brazilian Government accepts the proposals submitted in your note under reference.

Accept, Sir, the assurances of my highest consideration.

ARNO KONDER

Consul General of Brazil

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CANADA

TREATY SERIES, 1937

No. 7

MULTILATERAL CONVENTION
ON CERTAIN QUESTIONS RELATING TO THE
CONFLICT OF NATIONALITY LAWS

Signed at The Hague, April 12, 1930

Canadian Ratification deposited April 6, 1934

IN FORCE JULY 1, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

Price, 25 cents.

MULTILATERAL CONVENTION
ON CERTAIN QUESTIONS RELATING TO THE
CONFLICT OF NATIONALITY LAWS

Signed at The Hague April 12, 1930



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

INTERNATIONAL CONVENTION ON CERTAIN QUESTIONS RELATING TO THE CONFLICT OF NATIONALITY LAWS

The President of the German Reich; the Federal President of the Austrian Republic; His Majesty the King of the Belgians; His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India; the President of the Republic of Chile; the President of the National Government of the Republic of China; the President of the Republic of Colombia; the President of the Republic of Cuba; His Majesty the King of Denmark and Iceland; the President of the Polish Republic, for the Free City of Danzig; His Majesty the King of Egypt; His Majesty the King of Spain; the Government of the Estonian Republic; the President of the French Republic; the President of the Hellenic Republic; His Serene Highness the Regent of the Kingdom of Hungary; His Majesty the King of Denmark and Iceland, for Iceland; His Majesty the King of Italy; His Majesty the Emperor of Japan; the President of the Latvian Republic; Her Royal Highness the Grand-Duchess of Luxemburg; the President of the United States of Mexico; Her Majesty the Queen of the Netherlands; the President of the Republic of Peru; the President of the Polish Republic; the President of the Portuguese Republic; the President of the Republic of Salvador; His Majesty the King of Sweden; the Swiss Federal Council; the President of the Czechoslovak Republic; the President of the Republic of Uruguay; His Majesty the King of Yugoslavia,

Considering that it is of importance to settle by international agreement questions relating to the conflict of nationality laws;

Being convinced that it is in the general interest of the international community to secure that all its members should recognize that every person should have a nationality and should have one nationality only;

Recognizing accordingly that the ideal towards which the efforts of humanity should be directed in this domain is the abolition of all cases both of statelessness and of double nationality;

Being of opinion that, under the economic and social conditions which at present exist in the various countries, it is not possible to reach immediately a uniform solution of all the above-mentioned problems;

Being desirous, nevertheless, as a first step toward this great achievement, of settling in a first attempt at progressive codification, those questions relating to the conflict of nationality laws on which it is possible at the present time to reach international agreement,

Have decided to conclude a convention, and have for this purpose appointed as their plenipotentiaries:—

The President of the German Reich:

M. Göppert, Minister Plenipotentiary;

M. H. Hering, Privy Councillor, Head of Department at the Ministry of the Interior of the Reich.

The Federal President of the Austrian Republic:

Dr. Marc Leitmaier, Legal Adviser of the Federal Chancellery, Department for Foreign Affairs.

His Majesty the King of the Belgians:

M. J. de Ruelle, Legal Adviser of the Ministry for Foreign Affairs.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland, and all parts of the British Empire which are not separate Members of the League of Nations:

Sir Maurice Gwyer, K.C.B., His Majesty's Procurator-General and Solicitor for the Affairs of His Majesty's Treasury;

Mr. O. F. Dowson, O.B.E., Assistant Legal Adviser to the Home Office.

For the Dominion of Canada:

The Honourable Philippe Roy, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic.

For the Commonwealth of Australia:

Sir Maurice Gwyer, K.C.B., His Majesty's Procurator-General and Solicitor for the Affairs of His Majesty's Treasury;

Mr. O. F. Dowson, O.B.E., Assistant Legal Adviser to the Home Office.

For the Union of South Africa:

Mr. C. W. H. Lansdown, K.C., B.A., LL.B., Senior Law Adviser to the Government of the Union of South Africa, ex-Attorney-General of the Province of the Cape of Good Hope.

For the Irish Free State:

Mr. John J. Herne, Legal Adviser to the Department of External Affairs.

For India:

Sir Basanta Kumar Mullick, I.C.S., Member of the Council of India, former Judge of the High Court at Patna.

The President of the Republic of Chile:

M. Miguel Cruchaga-Tocornal, former Prime Minister, former Ambassador to the President of the United States of America, former Professor of International Law, President of the Mixed Claims Commissions between Mexico and Germany and Mexico and Spain;

M. Alejandro Alvarez, Member of the Institute of France, Member and former Vice-President of the Institute of International Law, Legal Adviser of the Chilean Legations in Europe;

Vice-Admiral Hipolito Marchant, Permanent Naval Delegate to the League of Nations.

The President of the National Government of the Republic of China:

Dr. Woo Kaiseng, Minister Plenipotentiary, Director of the Permanent Office of the Chinese Delegation accredited to the League of Nations, Chargé d'Affaires at Berne.

The President of the Republic of Colombia:

M. Antonio José Restrepo, Permanent Delegate accredited to the League of Nations, Envoy Extraordinary and Minister Plenipotentiary, Member of the Chamber of Representatives;

M. Francisco José Urrutia, former Minister for Foreign Affairs, Permanent Delegate accredited to the League of Nations, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

The President of the Republic of Cuba:

Dr. A. Diaz de Villar, Envoy Extraordinary and Minister Plenipotentiary to Her Majesty the Queen of the Netherlands;

Dr. C. de Armenteros, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

His Majesty the King of Denmark and Iceland:

M. F. C. Martensen-Larsen, Director at the Ministry of the Interior;

M. V. L. Lorck, Director of Navigation, Captain.

The President of the Polish Republic, for the Free City of Danzig:

Mr. Stefan Sieczkowski, Under-Secretary of State at the Polish Ministry of Justice.

His Majesty the King of Egypt:

Abd-el-Hamid Badaoui Pasha, President of the Litigation Committee;

Mourad Sid Ahmed Bey, Royal Counsellor.

His Majesty the King of Spain:

M. Antonio Goicoechea, former Minister of the Interior, Member of the Permanent Court of Arbitration, Member of the Royal Academy of Naval and Political Sciences, Member of the General Codification Commission of Spain, Professor of International Law at the Diplomatic Institute of Madrid.

The Government of the Estonian Republic:

M. Ants Piip, Professor of International Law at the University of Tartu, former Chief of State, former Minister for Foreign Affairs;

M. Alexandre Varma, Mag. Jur., Director of Administrative Questions at the Ministry for Foreign Affairs.

The President of the French Republic:

M. P. Matter, Member of the Institute, Procurator-General at the "Cour de Cassation";

M. A. Kammerer, Envoy Extraordinary and Minister Plenipotentiary to Her Majesty the Queen of the Netherlands.

The President of the Hellenic Republic:

M. N. Politis, former Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

M. Megalos A. Caloyanni, former Counsellor at the High Court of Appeal of Egypt, former Judge *ad hoc* of the Permanent Court of International Justice;

M. J. Spiropoulos, Professor of International Law at the University of Salonika.

His Serene Highness the Regent of the Kingdom of Hungary:

M. Jean Pelenyi, Resident Minister, Head of the Permanent Hungarian Delegation accredited to the League of Nations.

His Majesty the King of Denmark and Iceland, for Iceland:

M. Sveinn Björnsson, Envoy Extraordinary and Minister Plenipotentiary, Representative of Iceland in Denmark.

His Majesty the King of Italy:

Professor Amedeo Giannini, Minister Plenipotentiary, Councillor of State.

His Majesty the Emperor of Japan:

Viscount Kintomo Mushakoji, Envoy Extraordinary and Minister Plenipotentiary accredited to His Majesty the King of Sweden.

The President of the Latvian Republic:

M. Ch. Duzmans, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Yugoslavia, Permanent Delegate accredited to the League of Nations;

M. R. Akmentin, Legal Adviser at the Ministry for Foreign Affairs, Professor in the Faculty of Law at the University of Riga.

Her Royal Highness the Grand-Duchess of Luxemburg:

Dr. Conrad Stumper, Counsellor of Government.

The President of the United States of Mexico:

M. Eduardo Suarez, Head of the Legal Department at the Ministry for Foreign Affairs.

Her Majesty the Queen of the Netherlands:

M. W. J. M. van Eysinga, Professor of Law at the University of Leyden, Member of the Permanent Court of Arbitration;

Dr. J. Kusters, Counsellor at the Supreme Court.

The President of the Republic of Peru:

M. Mariano H. Cornejo, Representative on the Council of the League of Nations, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic.

The President of the Polish Republic:

M. Stefan Sieczkowski, Under-Secretary of State at the Ministry of Justice;

Dr. S. Rundstein, Legal Adviser at the Ministry for Foreign Affairs;

Professor J. Makowski, Chief of the Treaty Section in the Ministry for Foreign Affairs.

The President of the Portuguese Republic:

Dr. José Caeiro da Matta, Rector of the University of Lisbon, Professor at the Coimbra and Lisbon Faculties of Law, Vice-President of the Higher Council of Public Education;

Dr. José Maria Vilhena Barbosa de Magalhaes, Professor of Law at the University of Lisbon, Member of the Committee of Experts for the Progressive Codification of International Law of the League of Nations, former Minister for Foreign Affairs, of Justice and of Public Education;

Dr. José Lobo d'Avila Lima, Professor of Law at the Universities of Lisbon and Coimbra, Legal Adviser at the Ministry for Foreign Affairs.

The President of the Republic of Salvador:

Dr. J. Gustavo Guerrero, Permanent Delegate accredited to the League of Nations, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic.

His Majesty the King of Sweden:

M. Karl Ivan Westman, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

The Swiss Federal Council:

M. Victor Merz, Federal Judge;

M. Paul Dinichert, Minister Plenipotentiary, Chief of the Division for Foreign Affairs in the Federal Political Department.

The President of the Czechoslovak Republic:

M. Miroslav Plešinger Božinov, Envoy Extraordinary and Minister Plenipotentiary to Her Majesty the Queen of the Netherlands;

Dr. Václav Joachim, Chief of Section in the Ministry of the Interior, *Privatdozent* of Public Law, Assistant Director of the Free School of Political Sciences at Prague.

The President of the Republic of Uruguay:

Dr. Enrique Buero, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians and to Her Majesty the Queen of the Netherlands.

His Majesty the King of Yugoslavia:

M. Ilia Choumenkovitch, Permanent Delegate accredited to the League of Nations, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

Who, having deposited their full powers, found in good and due form, have agreed as follows:—

Chapter I—*General Principles*

ARTICLE 1

It is for each State to determine under its own law who are its nationals. This law shall be recognised by other States in so far as it is consistent with international conventions, international custom and the principles of law generally recognised with regard to nationality.

ARTICLE 2

Any question as to whether a person possesses the nationality of a particular State shall be determined in accordance with the law of that State.

ARTICLE 3

Subject to the provisions of the present convention, a person having two or more nationalities may be regarded as its national by each of the States whose nationality he possesses.

ARTICLE 4

A State may not afford diplomatic protection to one of its nationals against a State whose nationality such person also possesses.

ARTICLE 5

Within a third State, a person having more than one nationality shall be treated as if he had only one. Without prejudice to the application of its law in matters of personal status and of any conventions in force, a third State shall, of the nationalities which any such person possesses, recognise exclusively in its territory either the nationality of the country in which he is habitually and principally resident, or the nationality of the country with which in the circumstances he appears to be in fact most closely connected.

ARTICLE 6

Without prejudice to the liberty of a State to accord wider rights to renounce its nationality, a person possessing two nationalities acquired without any voluntary act on his part may renounce one of them with the authorisation of the State whose nationality he desires to surrender.

This authorisation may not be refused in the case of a person who has his habitual and principal residence abroad, if the conditions laid down in the law of the State whose nationality he desires to surrender are satisfied.

Chapter II—*Expatriation Permits*

ARTICLE 7

In so far as the law of a State provides for the issue of an expatriation permit, such a permit shall not entail the loss of the nationality of the State which issues it, unless the person to whom it is issued possesses another nationality or unless and until he acquires another nationality.

An expatriation permit shall lapse if the holder does not acquire a new nationality within the period fixed by the State which has issued the permit. This provision shall not apply in the case of an individual who, at the time when he receives the expatriation permit, already possesses a nationality other than that of the State by which the permit is issued to him.

The State whose nationality is acquired by a person to whom an expatriation permit has been issued shall notify such acquisition to the State which has issued the permit.

Chapter III—*Nationality of Married Women*

ARTICLE 8

If the national law of the wife causes her to lose her nationality on marriage with a foreigner, this consequence shall be conditional on her acquiring the nationality of the husband.

ARTICLE 9

If the national law of the wife causes her to lose her nationality upon a change in the nationality of her husband occurring during marriage, this consequence shall be conditional on her acquiring her husband's new nationality.

ARTICLE 10

Naturalisation of the husband during marriage shall not involve a change in the nationality of the wife except with her consent.

ARTICLE 11

The wife who, under the law of her country, lost her nationality on marriage, shall not recover it after the dissolution of the marriage except on her own application and in accordance with the law of that country. If she does recover it, she shall lose the nationality which she acquired by reason of the marriage.

Chapter IV—*Nationality of Children*

ARTICLE 12

Rules of law which confer nationality by reason of birth on the territory of a State shall not apply automatically to children born to the persons enjoying diplomatic immunities in the country where the birth occurs.

The law of each State shall permit children of consuls *de carrière*, or of officials of foreign States charged with official missions by their Governments, to become divested, by repudiation or otherwise, of the nationality of the State in which they were born in any case in which on birth they acquired dual nationality, provided that they retain the nationality of their parents.

ARTICLE 13

Naturalisation of the parents shall confer on such of their children as, according to its law, are minors the nationality of the State by which the naturalisation is granted. In such case the law of that State may specify the conditions governing the acquisition of its nationality by the minor children as a result of the naturalisation of the parents.

In cases where minor children do not acquire the nationality of their parent as the result of the naturalisation of the latter, they shall retain their existing nationality.

ARTICLE 14

A child whose parents are both unknown shall have the nationality of the country of birth. If the child's parentage is established, its nationality shall be determined by the rules applicable in cases where the parentage is known.

A foundling is, until the contrary is proved, presumed to have been born on the territory of the State in which it was found.

ARTICLE 15

Where the nationality of a State is not acquired automatically by reason of birth on its territory, a child born on the territory of that State of parents having no nationality, or of unknown nationality, may obtain the nationality of the said State. The law of that State shall determine the conditions governing the acquisition of its nationality in such cases.

ARTICLE 16

If the law of the State whose nationality an illegitimate child possesses recognizes that that nationality may be lost as a consequence of a change in the civil status of the child (legitimation, recognition), such loss shall be conditional on the acquisition by the child of the nationality of another State under the law of that State governing the effect of the change in civil status upon nationality.

Chapter V.—*Adoption*

ARTICLE 17

If the law of a State recognises that its nationality may be lost as the result of adoption, this loss shall be conditional upon the acquisition by the person adopted of the nationality of the person by whom he is adopted, under the law of the State of which the latter is a national governing the effect of adoption upon nationality.

Chapter VI.—*General and Final Provisions*

ARTICLE 18

The high contracting parties agree to apply the principles and rules contained in the preceding articles in their relations with each other, as from the date of the entry into force of the present convention.

The inclusion of the above-mentioned principles and rules in the convention shall in no way be deemed to prejudice the question whether they do or do not already form part of international law.

It is understood that, in so far as any point is not covered by any of the provisions of the preceding article, the existing principles and rules of international law shall remain in force.

ARTICLE 19

Nothing in the present convention shall affect the provisions of any treaty, convention or agreement in force between any of the high contracting parties relating to nationality or matters connected therewith.

ARTICLE 20

Any high contracting party may, when signing or ratifying the present convention or acceding thereto, append an express reservation excluding any one or more of the provisions of articles 1 to 17 and 21.

The provisions thus excluded cannot be applied against the contracting party who has made the reservation nor relied on by that party against any other contracting party.

ARTICLE 21

If there should arise between the high contracting parties a dispute of any kind relating to the interpretation or application of the present convention, and if such dispute cannot be satisfactorily settled by diplomacy, it shall be settled in accordance with any applicable agreements in force between the parties providing for the settlement of international disputes.

In case there is no such agreement in force between the parties, the dispute shall be referred to arbitration or judicial settlement, in accordance with the constitutional procedure of each of the parties to the dispute. In the absence of agreement on the choice of another tribunal, the dispute shall be referred to the Permanent Court of International Justice, if all the parties to the dispute are parties to the Protocol of the 16th December, 1920, relating to the statute of that court, and if any of the parties to the dispute is not a party to the Protocol of the 16th December, 1920, the dispute shall be referred to an arbitral tribunal constituted in accordance with the Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

ARTICLE 22

The present convention shall remain open until the 31st December, 1930, for signature on behalf of any member of the League of Nations or of any non-member State invited to the First Codification Conference or to which the Council of the League of Nations has communicated a copy of the convention for this purpose.

ARTICLE 23

The present convention is subject to ratification. Ratifications shall be deposited with the secretariat of the League of Nations.

The Secretary-General shall give notice of the deposit of each ratification to the members of the League of Nations and to the non-member States mentioned in article 22, indicating the date of its deposit.

ARTICLE 24

As from the 1st January, 1931, any member of the League of Nations and any non-member State mentioned in article 22 on whose behalf the convention has not been signed before that date may accede thereto.

Accession shall be effected by an instrument deposited with the secretariat of the League of Nations. The Secretary-General of the League of Nations shall give notice of each accession to the members of the League of Nations and to the non-member States mentioned in article 22, indicating the date of the deposit of the instrument.

ARTICLE 25

A *procès-verbal* shall be drawn up by the Secretary-General of the League of Nations as soon as ratifications or accessions on behalf of ten members of the League of Nations or non-member States have been deposited.

A certified copy of this *procès-verbal* shall be sent by the Secretary-General of the League of Nations to each member of the League of Nations and to each non-member State mentioned in article 22.

ARTICLE 26

The present convention shall enter into force on the ninetieth day after the date of the *procès-verbal* mentioned in article 25 as regards all members of the League of Nations or non-member States on whose behalf ratifications or accessions have been deposited on the date of the *procès-verbal*.

As regards any member of the League or non-member State on whose behalf a ratification or accession is subsequently deposited, the convention shall enter into force on the ninetieth day after the date of the deposit of a ratification or accession on its behalf.

ARTICLE 27

As from the 1st January, 1936, any member of the League of Nations or any non-member State in regard to which the present convention is then in force may address to the Secretary-General of the League of Nations a request for the revision of any or all of the provisions of this convention. If such a request, after being communicated to the other members of the League and non-member States in regard to which the convention is then in force, is supported within one year by at least nine of them, the Council of the League of Nations shall decide, after consultation with the members of the League of Nations and the non-member States mentioned in article 22, whether a conference should be specially convoked for that purpose or whether such revision should be considered at the next conference for the codification of international law.

The high contracting parties agree that, if the present convention is revised, the revised convention may provide that upon its entry into force some or all of the provisions of the present convention shall be abrogated in respect of all of the parties to the present convention.

ARTICLE 28

The present convention may be denounced.

Denunciation shall be effected by a notification in writing addressed to the Secretary-General of the League of Nations, who shall inform all members of the League of Nations and the non-member States mentioned in article 22.

Each denunciation shall take effect one year after the receipt by the Secretary-General of the notification, but only as regards the member of the League or non-member State on whose behalf it has been notified.

ARTICLE 29

1. Any high contracting party may, at the time of signature, ratification or accession, declare that, in accepting the present convention, he does not assume any obligations in respect of all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate, or in respect of certain parts of the population of the said territories; and the present convention shall not apply to any territories or to the parts of their population named in such declaration.

2. Any high contracting party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the convention shall apply to all or any of his territories or to the parts of their population which have been made the subject of a declaration under the preceding paragraph, and the convention shall apply to all the territories or the parts of their population named in such notice six months after its receipt by the Secretary-General of the League of Nations.

3. Any high contracting party may, at any time, declare that he desires that the present convention shall cease to apply to all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate, or in respect of certain parts of the population of the said territories, and the convention shall cease to apply to the territories or to the parts of their population named in such declaration one year after its receipt by the Secretary-General of the League of Nations.

4. Any high contracting party may make the reservations provided for in article 20 in respect of all or any of his colonies, protectorates, overseas territories or territories under suzerainty or mandate, or in respect of certain parts of the population of these territories, at the time of signature, ratification or accession to the convention or at the time of making a notification under the second paragraph of this article.

5. The Secretary-General of the League of Nations shall communicate to all the members of the League of Nations and non-member States mentioned in article 22 all declarations and notices received in virtue of this article.

ARTICLE 30

The present convention shall be registered by the Secretary-General of the League of Nations as soon as it has entered into force.

ARTICLE 31

The French and English texts of the present convention shall both be authoritative.

In faith whereof the Plenipotentiaries have signed the present Convention.

Done at The Hague on the twelfth day of April, one thousand nine hundred and thirty, in a single copy, which shall be deposited in the archives of the Secretariat of the League of Nations and of which certified true copies shall be transmitted by the Secretary-General to all the Members of the League of Nations and all the non-Member States invited to the First Conference for the Codification of International Law.

En foi de quoi, les Plénipotentiaires susmentionnés ont signé la présente Convention.

Fait à La Haye, le douze avril mil neuf cent trente, en un seul exemplaire qui sera déposé dans les archives du Secrétariat de la Société des Nations. Une copie certifiée conforme sera transmise par les soins du Secrétaire général à tous les Membres de la Société des Nations et à tous les Etats non Membres invités à la première Conférence pour la Codification du Droit international.

Germany

Allemagne

GÖPPERT
HERING

Austria

Autriche

LEITMAIER

Belgium

Belgique

Sous réserve d'adhésion ultérieure pour la Colonie du Congo et les Territoires sous mandat.
[Translation.—Subject to accession later for the colony of the Congo and the mandated territories.]

J. DE RUELLE

Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations

Grande-Bretagne et Irlande du Nord, ainsi que toutes parties de l'Empire britannique non Membres séparés de la Société des Nations

MAURICE GWYER
OSCAR F. DOWSON

Canada

Canada

PHILIPPE ROY

Australia

Australie

MAURICE GWYER
OSCAR F. DOWSON

Union of South Africa

Union Sud-Africaine

CHARLES W. H. LANSDOWN

Irish Free State

Etat libre d'Irlande

JOHN J. HEARNE

India

Inde

In accordance with the provisions of article 29 of this Convention I declare that His Britannic Majesty does not assume any obligation in respect of the territories in India of any Prince or Chief under His suzerainty or the population of the said territories.

[Traduction.—Conformément aux dispositions de l'article 29 de cette Convention, je déclare que Sa Majesté britannique n'assume aucune obligation en ce qui concerne les territoires de l'Inde appartenant à un prince ou chef placé sous sa suzeraineté, ou en ce qui concerne la population desdits territoires.]

BASANTA KUMAR MULLICK

Chile	MIGUEL CRUCHAGA ALEJANDRO ALVAREZ H. MARCHANT	Chili
China	Sous réserve de l'article 4. [<i>Translation.</i> —Subject to reservation as regards article 4.] WOO KAISENG	Chine
Colombia	Sous réserve de l'article 10. [<i>Translation.</i> —Subject to reservation as regards article 10.] A. J. RESTREPO FRANCISCO JOSÉ URRUTIA	Colombie
Cuba	<i>Ad referendum</i> sous réserve des articles 9, 10 et 11. [<i>Translation.</i> — <i>Ad referendum</i> subject to reservation as regards articles 9, 10 and 11.] DIAZ DE VILLAR CARLOS DE ARMENTEROS	Cuba
Denmark	Sous réserve des articles 5 et 11. [<i>Translation.</i> —Subject to reservation as regards articles 5 and 11.] MARTENSEN-LARSEN V. LORCK	Danemark
Free City of Danzig	STEFAN SIECZKOWSKI	Ville libre de Dantzig
Egypt	A. BADAoui M. SID AHMED	Egypte
Spain	A. GOICOECHEA	Espagne
Estonia	A. PIIP AL. WARMA	Estonie
France	PAUL MATTER A. KAMMERER	France
Greece	<i>Ad referendum</i> N. POLITIS MEGALOS A. CALOYANNI JEAN SPIROPOULOS	Grèce
Hungary	PELÉNYI	Hongrie

Iceland

Islande

Ad referendum
SVEINN BJØRNSSON

Italy

Italie

AMEDEO GIANNINI

Japan

Japon

Sous réserve des articles 4, 10 et des mots "d'après la loi de l'Etat qui accorde la naturalisation" de l'article 13.

[*Translation.*—Subject to reservation as regards articles 4 and 10 and as regards the words: "according to its law" in article 13.]

MUSHAKOJI

Latvia

Lettonie

CHARLES DUZMANS
ROBERT AKMENTIN

Luxemburg

Luxembourg

CONRAD STUMPER

Mexico

Mexique

Sous réserve de l'alinéa 2 de l'article 1.

[*Translation.*—Subject to reservation as regards paragraph 2 of article 1.]

EDUARDO SUAREZ

Netherlands

Pays-Bas

Les Pays-Bas:

1° Excluent de leur acceptation les articles 8, 9 et 10;

2° N'entendent assumer aucune obligation en ce qui concerne les Indes néerlandaises, le Surinam et Curaçao.

[*Translation.*—The Netherlands:

(1) Exclude from acceptance articles 8, 9 and 10.

(2) Do not intend to assume any obligation as regards the Netherlands Indies, Surinam and Curaçao.]

v. EYSINGA
J. KOSTERS

Peru

Pérou

Sous réserve de l'article 4.

[*Translation.*—Subject to reservation as regards article 4.]

M. H. CORNEJO

Poland

Pologne

STEFAN SIECZKOWSKI
S. RUNDSTEIN
J. MAKOWSKI

Portugal

Portugal

JOSÉ CAEIRO DA MATTA
JOSÉ MARIA VILHENA BARBOSA DE MAGALHAES
PROF. DR. J. LOBO D'AVILA LIMA

Salvador

Salvador

J. GUSTAVO GUERRERO

Sweden

Suède

Le Gouvernement suédois déclare exclure de son acceptation la disposition de la deuxième phrase de l'article 11 dans le cas où la femme visée par cet article, ayant recouvré la nationalité de son pays d'origine, n'établit pas sa résidence habituelle dans ce pays.

Sous réserve de ratification de Sa Majesté le Roi de Suède avec l'approbation du Riksdag.

[*Translation.*—The Swedish Government declares that it does not accept the provisions of the second sentence of article 11 as binding upon it in the case where the wife, as referred to in the article, after recovering the nationality of her country of origin, fails to establish her ordinary residence in that country.

Subject to ratification by His Majesty the King of Sweden, with the approval of the Riksdag.]

K. I. WESTMAN

Switzerland

Suisse

Sous réserve de l'article 10.

[*Translation.*—Subject to reservation as regards article 10.]

V. MERZ
PAUL DINICHERT

Czechoslovakia

Tchécoslovaquie

MIROSLAV PLEŠINGER-BOŽINOV
DR. VÁCLAV JOACHIM

Uruguay

Uruguay

E. E. BUERO

Yugoslavia

Yougoslavie

J. CHOUMENKOVITCH

Am. Doc
Can
Misc
T

CANADA

TREATY SERIES, 1937

No. 8

EXCHANGE OF NOTES

(June 7 and 10, 1937)

PROLONGING

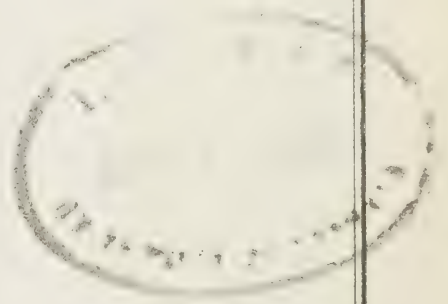
FOR ONE YEAR THE AGREEMENT OF SEPTEMBER
15-16, 1932, AS AMENDED IN 1935, CONCERNING
FLIGHTS OF MILITARY AIRCRAFT

BETWEEN

CANADA AND THE UNITED STATES
OF AMERICA

The Agreement of September 15-16, 1932, was extended in June,
1933, in July, 1934, in November, 1935, and in
June, 1936, until June 30, 1937

IN FORCE JULY 1, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

Price, 25 cents.

EXCHANGE OF NOTES

(June 7 and 10, 1937)

PROLONGING

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15-16, 1932, AS AMENDED IN 1935, CONCERNING
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IN FORCE, JULY, 1937



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1938

**EXCHANGE OF NOTES (JUNE 7 AND 10, 1937) PROLONGING FOR
ONE YEAR THE AGREEMENT OF SEPTEMBER 15-16, 1932, AS
AMENDED IN 1935, CONCERNING FLIGHTS OF MILITARY
AIRCRAFT BETWEEN CANADA AND THE UNITED STATES
OF AMERICA**

*From the Acting Secretary of State for External Affairs of Canada to the
Chargé d'Affaires a.i. of the United States of America at Ottawa*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, June 7, 1937.

No. 77

SIR,—I have the honour to refer to your Note No. 467 of June 7th regarding the renewal for a period of one year from July 1, 1937, to June 30, 1938, of an agreement between the Government of Canada and the Government of the United States effected by an exchange of notes in September, 1932, and amended by an exchange of notes in 1935, whereby military aircraft of either country are permitted to fly over specified portions of the territory of the other, and to state, in reply to your inquiry, that the Canadian Government is agreeable to the proposed renewal in the same terms as those referred to in the above-mentioned exchanges of notes.

I should be glad to learn whether this note and your reply may be regarded as extending the Agreement of 1932, as amended in 1935, for a further period of one year beginning July 1, 1937.

Accept, sir, the renewed assurances of my highest consideration.

SCOTT MACDONALD

*For the Acting Secretary of State for
for External Affairs.*

*From the Chargé d'Affaires a.i. of the United States of America at Ottawa
to the Acting Secretary of State for External Affairs of Canada*

LEGATION OF THE UNITED STATES OF AMERICA

OTTAWA, June 10, 1937.

No. 468

SIR,—I have the honour to acknowledge receipt of your Note No. 77 of June 7, 1937, concerning the renewal for a period of one year beginning July 1, 1937, of the agreement now in effect between our two Governments whereby military aircraft of either country are permitted, under certain conditions, to fly over specified portions of the territory of the other, and have duly noted that the Canadian Government is agreeable to the proposed renewal.

It is understood that by the exchange of your note under acknowledgment and of this reply thereto the agreement of 1932, as amended in 1935 and now in effect, is extended for a further period of one year from July 1, 1937, to June 30, 1938.

Accept, sir, the renewed assurances of my highest consideration.

ELY E. PALMER

Can
Misc
T

CANADA

TREATY SERIES, 1937

No. 9

CONVENTION

BETWEEN

CANADA

AND

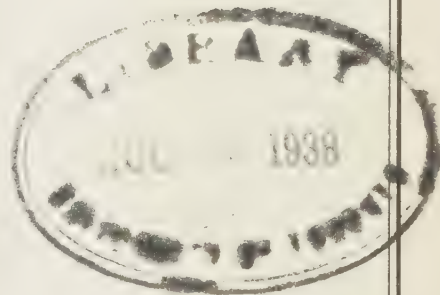
THE UNITED STATES OF AMERICA

FOR THE

PRESERVATION OF THE HALIBUT FISHERY OF THE
NORTHERN PACIFIC OCEAN AND BERING SEA

Signed at Ottawa, January 29, 1937

IN FORCE JULY 28, 1937



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1938

Price, 25 cents.

CONVENTION
BETWEEN
CANADA
AND THE
UNITED STATES OF AMERICA
FOR THE
PRESERVATION OF THE HALIBUT FISHERY
OF THE NORTHERN PACIFIC OCEAN AND BERING SEA

Signed at Ottawa, January 29th, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

**CONVENTION BETWEEN CANADA AND THE UNITED STATES OF
AMERICA FOR THE PRESERVATION OF THE HALIBUT FISHERY
OF THE NORTHERN PACIFIC OCEAN AND BERING SEA
SIGNED AT OTTAWA JANUARY 29th, 1937**

His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada,
And the President of the United States of America,

Desiring to provide more effectively for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, have resolved to conclude a convention revising the convention for the preservation of that fishery signed on their behalf at Ottawa on May 9, 1930, and have named as their plenipotentiaries for that purpose,

His Majesty, for the Dominion of Canada:

The Right Honourable William Lyon Mackenzie King, Prime Minister and Secretary of State for External Affairs; and

The President of the United States of America:

Norman Armour, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:—

ARTICLE I

The nationals and inhabitants and fishing vessels and boats of the United States of America and of Canada, respectively, are hereby prohibited from fishing for halibut (*Hippoglossus*) both in the territorial waters and in the high seas off the western coasts of the United States of America, including the southern as well as the western coasts of Alaska, and of Canada, from the first day of November next after the date of the exchange of ratifications of this Convention to the fifteenth day of the following February, both days inclusive, and within the same period yearly thereafter.

The International Fisheries Commission provided for by Article III is hereby empowered, subject to the approval of the President of the United States of America and of the Governor General of Canada, to suspend or change the closed season provided for by this Article, as to part or all of the convention waters, when it finds after investigation such suspensions or changes are necessary, and to permit, limit, regulate and prohibit in any area or at any time when fishing for halibut is prohibited, the taking, retention and landing of halibut caught incidentally to fishing for other species of fish, and the possession during such fishing of halibut of any origin.

It is understood that nothing contained in this Convention shall prohibit the nationals or inhabitants or the fishing vessels or boats of the United States of America or of Canada, from fishing in the waters hereinbefore specified for other species of fish during the season when fishing for halibut in such waters is prohibited by this Convention or by any regulations adopted in pursuance of its provisions.

It is further understood that nothing contained in this Convention shall prohibit the International Fisheries Commission from conducting fishing operations for investigation purposes at any time.

ARTICLE II

Every national or inhabitant, vessel or boat of the United States of America or of Canada engaged in halibut fishing on the high seas in violation of this Convention or of any regulation adopted under the provisions thereof may be seized by the duly authorized officers of either High Contracting Party and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be agreed upon. The authorities of the nation to which such person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of this Convention, or any regulations which may be adopted in pursuance of its provisions, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other High Contracting Party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

Each High Contracting Party shall be responsible for the proper observance of this Convention, or of any regulation adopted under the provisions thereof, in the portion of its waters covered thereby.

ARTICLE III

The High Contracting Parties agree to continue under this Convention the Commission as at present constituted and known as the International Fisheries Commission, established by the Convention for the preservation of the halibut fishery, signed at Washington, March 2, 1923, and continued under the Convention signed at Ottawa, May 9, 1930, consisting of four members, two appointed by each Party, which Commission shall make such investigations as are necessary into the life history of the halibut in the convention waters and shall publish a report of its activities from time to time. Each of the High Contracting Parties shall have power to fill, and shall fill from time to time, vacancies which may occur in its representation on the Commission. Each of the High Contracting Parties shall pay the salaries and expenses of its own members, and joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

The High Contracting Parties agree that for the purposes of protecting and conserving the halibut fishery of the Northern Pacific Ocean and Bering Sea, the International Fisheries Commission, with the approval of the President of the United States of America and of the Governor General of Canada, may, in respect of the nationals and inhabitants and fishing vessels and boats of the United States of America and of Canada, from time to time,

- (a) divide the convention waters into areas;
- (b) limit the catch of halibut to be taken from each area within the season during which fishing for halibut is allowed;
- (c) prohibit departure of vessels from any port or place, or from any receiving vessel or station, to any area for halibut fishing, after any date when in the judgment of the International Fisheries Commission the vessels which have departed for that area prior to that date or which are known to be fishing in that area shall suffice to catch the limit which shall have been set for that area under section (b) of this paragraph;
- (d) fix the size and character of halibut fishing appliances to be used in any area;

(e) make such regulations for the licensing and departure of vessels and for the collection of statistics of the catch of halibut as it shall find necessary to determine the condition and trend of the halibut fishery and to carry out the other provisions of this Convention;

(f) close to all halibut fishing such portion or portions of an area or areas, as the International Fisheries Commission find to be populated by small, immature halibut.

ARTICLE IV

The High Contracting Parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention and any regulations adopted thereunder, with appropriate penalties for violations thereof.

ARTICLE V

The present Convention shall remain in force for a period of five years and thereafter until two years from the date when either of the High Contracting Parties shall give notice to the other of its desire to terminate it.

This Convention shall, from the date of the exchange of ratifications be deemed to supplant the convention for the preservation of the halibut fishery signed at Ottawa, May 9, 1930.

ARTICLE VI

This Convention shall be ratified in accordance with the constitutional methods of the High Contracting Parties. The ratifications shall be exchanged at Ottawa as soon as practicable, and the Convention shall come into force on the day of the exchange of ratifications.

In faith whereof, the respective plenipotentiaries have signed the present Convention in duplicate, and have hereunto affixed their seals.

Done at Ottawa on the twenty-ninth day of January, in the year one thousand nine hundred and thirty-seven.

(L.S.) W. L. MACKENZIE KING

(L.S.) NORMAN ARMOUR

y. Doc
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CANADA
—
TREATY SERIES, 1937

No. 10

CONVENTION

BETWEEN

HIS MAJESTY

AND

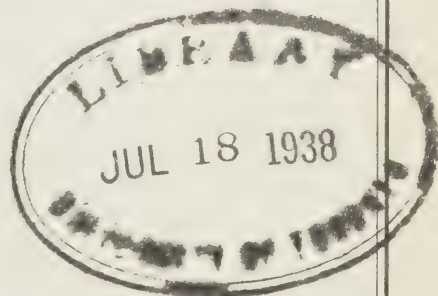
THE UNITED STATES OF AMERICA

FOR THE

PROTECTION, PRESERVATION AND EXTENSION
OF THE SOCKEYE SALMON FISHERIES IN
THE FRASER RIVER SYSTEM

Signed at Washington, May 26, 1930

—
Ratification exchanged at Washington, July 28, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

Price, 25 cents.



SOCKEYE SALMON FISHERIES CONVENTION

CONVENTION between Canada and the United States
for the protection, preservation and extension of the
Sockeye Salmon Fisheries in the Fraser River System,
signed at Washington on the 26th day of May, 1930



OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1930

SOCKEYE SALMON FISHERIES CONVENTION

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the President of the United States of America, recognizing that the protection, preservation and extension of the sockeye salmon fisheries in the Fraser River system are of common concern to the Dominion of Canada and the United States of America; that the supply of this fish in recent years has been greatly depleted and that it is of importance in the mutual interest of both countries that this source of wealth should be restored and maintained, have resolved to conclude a Convention and to that end have named as their respective plenipotentiaries:—

His Majesty, for the Dominion of Canada:

The Honourable Vincent Massey, a member of His Majesty's Privy Council for Canada and His Envoy Extraordinary and Minister Plenipotentiary for Canada at Washington; and

The President of the United States of America:

Mr. Henry L. Stimson, Secretary of State of the United States of America;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

ARTICLE I

The provisions of this Convention and the orders and regulations issued under the authority thereof shall apply, in the manner and to the extent hereinafter provided in this Convention, to the following waters:

1. The territorial waters and the high seas westward from the western coast of the Dominion of Canada and the United States of America and from a direct line drawn from Bonilla Point, Vancouver Island, to the lighthouse on Tatoosh Island, Washington—which line marks the entrance to Juan de Fuca Strait,—and embraced between 48 and 49 degrees north latitude, excepting therefrom, however, all the waters of Barklay Sound, eastward of a straight line drawn from Amphitrite Point to Cape Beale and all the waters of Nitinat Lake and the entrance thereto.

2. The waters included within the following boundaries:

Beginning at Bonilla Point, Vancouver Island, thence along the aforesaid direct line drawn from Bonilla Point to Tatoosh Lighthouse, Washington, described in paragraph numbered 1 of this Article, thence to the nearest point of Cape Flattery, thence following the southerly shore of Juan de Fuca Strait to Point Wilson, on Quimper Peninsula, thence in a straight line to Point Partridge on Whidbey Island, thence following the western shore of the said Whidbey Island, to the entrance to Deception Pass, thence across said entrance to the southern side of Reservation Bay, on Fidalgo Island, thence following the western and northern shore line of the said Fidalgo Island to Swinomish Slough, crossing the said Swinomish Slough, in line with the track of the Great

Northern Railway, thence northerly following the shore line of the mainland to Atkinson Point at the northerly entrance to Burrard Inlet, British Columbia, thence in a straight line to the southern end of Bowen Island, thence westerly following the southern shore of Bowen Island to Cape Roger Curtis, thence in a straight line to Gower Point, thence westerly following the shore line to Welcome Point on Seechelt Peninsula, thence in a straight line to Point Young on Lasqueti Island, thence in a straight line to Dorcas Point on Vancouver Island, thence following the eastern and southern shores of the said Vancouver Island to the starting point at Bonilla Point, as shown on the British Admiralty Chart Number 579, and on the United States Coast and Geodetic Survey Chart Number 6300, as corrected to March 14, 1930, copies of which are annexed to this Convention and made a part thereof.

3. The Fraser River and the streams and lakes tributary thereto.

The High Contracting Parties engage to have prepared as soon as practicable charts of the waters described in this Article, with the above described boundaries thereof and the international boundary indicated thereon. Such charts, when approved by the appropriate authorities of the Governments of the Dominion of Canada and the United States of America, shall be considered to have been substituted for the charts annexed to this Convention and shall be authentic for the purposes of the Convention.

The high Contracting Parties further agree to establish within the territory of the Dominion of Canada and the territory of the United States of America such buoys and marks for the purposes of this Convention as may be recommended by the Commission hereinafter authorized to be established, and to refer such recommendations as the Commission may make as relate to the establishment of buoys or marks at points on the international boundary to the International Boundary Commission, Canada and United States-Alaska, for action pursuant to the provisions of the Treaty between His Majesty in respect of Canada and the United States of America, respecting the boundary between the Dominion of Canada and the United States of America, signed February 24, 1925.

ARTICLE II

The High Contracting Parties agree to establish and maintain a Commission to be known as the International Pacific Salmon Fisheries Commission, hereinafter called the Commission, consisting of six members, three on the part of the Dominion of Canada, and three on the part of the United States of America.

The Commissioners on the part of the Dominion of Canada shall be appointed by His Majesty on the recommendation of the Governor General in Council. The Commissioners on the part of the United States of America shall be appointed by the President of the United States of America.

The Commissioners appointed by each of the High Contracting Parties shall hold office during the pleasure of the High Contracting Party by which they were appointed.

The Commission shall continue in existence so long as this convention shall continue in force, and each High Contracting Party shall have power to fill and shall fill from time to time vacancies which may occur in its representation on the Commission in the same manner as the original appointments are made. Each High Contracting Party shall pay the salaries and expenses of its own Commissioners, and joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

ARTICLE III

The Commission shall make a thorough investigation into the natural history of the Fraser River sockeye salmon, into hatchery methods, spawning ground conditions and other related matters. It shall conduct the sockeye salmon fish cultural operations in the waters described in paragraphs numbered 2 and 3 of Article I of this Convention, and to that end it shall have power to improve spawning grounds, construct, and maintain hatcheries, rearing ponds and other such facilities as it may determine to be necessary for the propagation of sockeye salmon in any of the waters covered by this Convention, and to stock any such waters with sockeye salmon by such methods as it may determine to be most advisable. The Commission shall also have authority to recommend to the Governments of the High Contracting Parties removing or otherwise overcoming obstructions to the ascent of sockeye salmon, that may now exist or may from time to time occur, in any of the waters covered by this Convention, where investigation may show such removal of or other action to overcome obstructions to be desirable. The Commission shall make an annual report to the two Governments as to the investigations which it has made and other action which it has taken in execution of the provisions of this Article, or of other Articles of this Convention.

The cost of all work done pursuant to the provisions of this Article, or of other Articles of this Convention, including removing or otherwise overcoming obstructions that may be approved, shall be borne equally by the two Governments, and the said Governments agree to appropriate annually such money as each may deem desirable for such work in the light of the reports of the Commission.

ARTICLE IV

The Commission is hereby empowered to limit or prohibit taking sockeye salmon in respect of all or any of the waters described in Article I of this Convention, provided that when any order is adopted by the Commission limiting or prohibiting taking sockeye salmon in any of the territorial waters or on the High Seas described in paragraph numbered 1 of Article I, such order shall extend to all such territorial waters and High Seas, and, similarly, when in any of the Canadian waters embraced in paragraphs numbered 2 and 3 of Article I, such order shall extend to all such Canadian waters, and when in any of the waters of the United States of America embraced in paragraph numbered 2 of Article I, such order shall extend to all such waters of the United States of America, and provided further, that no order limiting or prohibiting taking sockeye salmon adopted by the Commission shall be construed to suspend or otherwise affect the requirements of the laws of the Dominion of Canada or of the State of Washington as to the procuring of a licence to fish in the waters on their respective sides of the boundary, or in their respective territorial waters embraced in paragraph numbered 1 of Article I of this Convention, and provided further that any order adopted by the Commission limiting or prohibiting taking sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention shall apply only to nationals and inhabitants and vessels and boats of the Dominion of Canada and the United States of America.

Any order adopted by the Commission limiting or prohibiting taking sockeye salmon in the waters covered by this Convention, or any part thereof, shall remain in full force and effect unless and until the same be modified or set aside by the Commission. Taking sockeye salmon in said waters in violation of an order of the Commission shall be prohibited.

ARTICLE V

In order to secure a proper escapement of sockeye salmon during the spring or chinook salmon fishing season, the Commission may prescribe the size of the meshes in all fishing gear and appliances that may be operated during said season in the Canadian waters and/or the waters of the United States of America described in Article I of this Convention. At all seasons of the year the Commission may prescribe the size of the meshes in all salmon fishing gear and appliances that may be operated on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, provided, however, that in so far as concerns the High Seas, requirements prescribed by the Commission under the authority of this paragraph shall apply only to nationals and inhabitants and vessels and boats of the Dominion of Canada and the United States of America.

Whenever, at any other time than the spring or chinook salmon fishing season, the taking of sockeye salmon in Canadian waters or in waters of the United States of America is not prohibited under an order adopted by the Commission, any fishing gear or appliance authorized by the laws of the Dominion of Canada may be used in Canadian waters by any person thereunto duly authorized, and any fishing gear or appliance authorized by the State of Washington may be used in waters of the United States of America by any person thereunto authorized by the State of Washington. Whenever the taking of sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention is not prohibited, under an order adopted by the Commission, to the nationals or inhabitants or vessels or boats of the Dominion of Canada or the United States of America, only such salmon fishing gear and appliances as may have been approved by the Commission may be used on such High Seas by said nationals, inhabitants, vessels or boats.

ARTICLE VI

No action taken by the Commission under the authority of this Convention shall be effective unless it is affirmatively voted for by at least two of the Commissioners of each Contracting Party.

ARTICLE VII

Inasmuch as the purpose of this Convention is to establish for the High Contracting Parties, by their joint effort and expense, a fishery that is now largely nonexistent, it is agreed by the High Contracting Parties that they should share equally in the fishery. The Commission shall, consequently, regulate the fishery with a view to allowing, as nearly as may be practicable, an equal portion of the fish that may be caught each year to be taken by the fishermen of each High Contracting Party.

ARTICLE VIII

Each High Contracting Party shall be responsible for the enforcement of the orders and regulations adopted by the Commission under the authority of this Convention, in the portion of its waters covered by the Convention.

Except as hereinafter provided in Article IX of this Convention, each High Contracting Party shall be responsible, in respect of its own nationals and

inhabitants and vessels and boats, for the enforcement of the orders and regulations adopted by the Commission, under the authority of this Convention, on the High Seas embraced in paragraph numbered 1 of Article I of the Convention.

Each High Contracting Party shall acquire and place at the disposition of the Commission any land within its territory required for the construction and maintenance of hatcheries, rearing ponds and other such facilities as set forth in Article III.

ARTICLE IX

Every national or inhabitant, vessel or boat of the Dominion of Canada or of the United States of America, that engages in sockeye salmon fishing on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, in violation of an order or regulation adopted by the Commission, under the authority of this Convention, may be seized and detained by the duly authorized officers of either High Contracting Party, and when so seized and detained shall be delivered by the said officers, as soon as practicable, to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be agreed upon with the competent authorities. The authorities of the country to which a person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of any order or regulation, adopted by the Commission in respect of fishing for sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, or of any law or regulation which either High Contracting Party may have made to carry such order or regulation of the Commission into effect, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other High Contracting Party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

ARTICLE X

The High Contracting Parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention and the orders and regulations adopted by the Commission under the authority thereof, with appropriate penalties for violations.

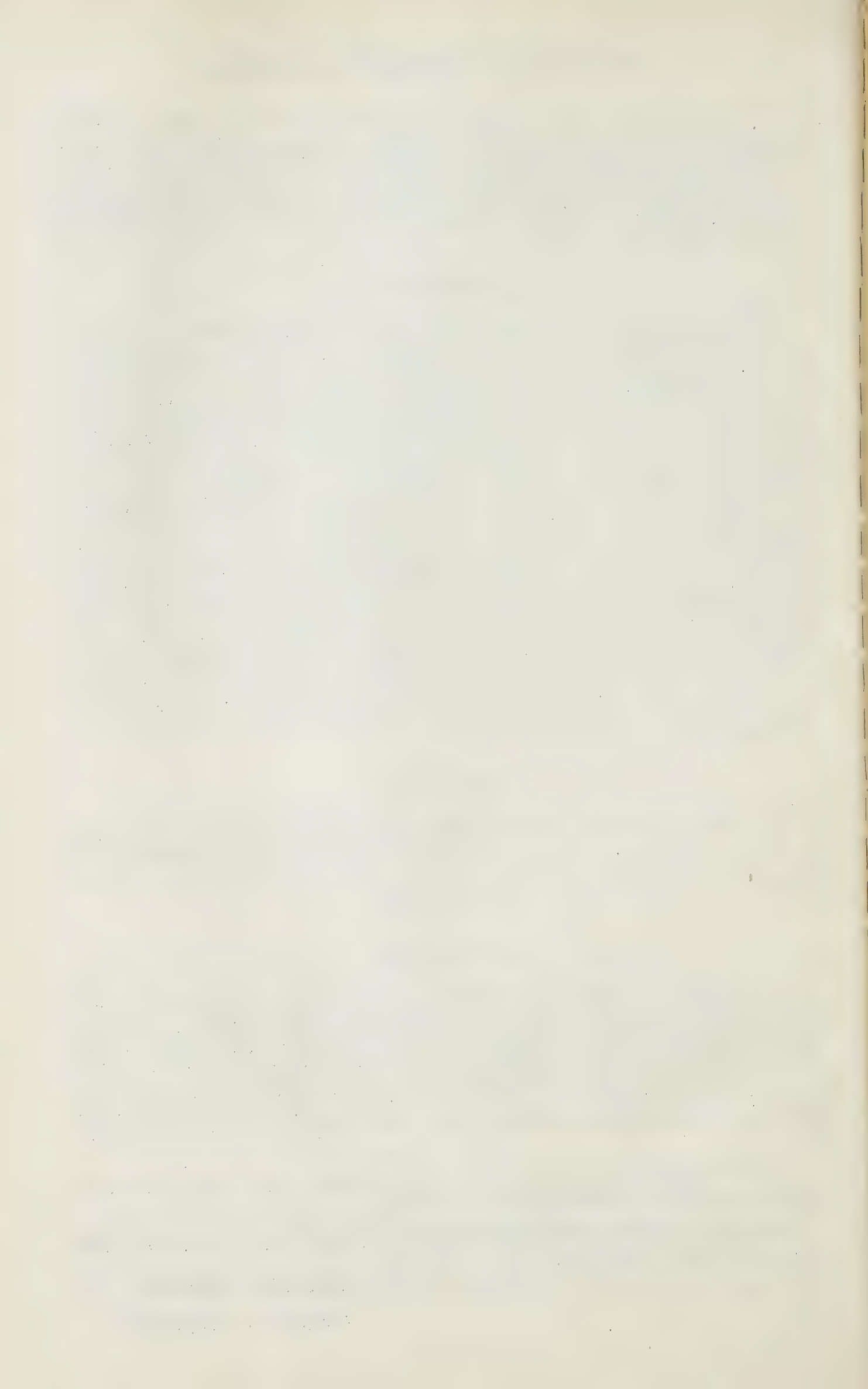
ARTICLE XI

The present Convention shall be ratified by His Majesty in accordance with constitutional practice and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and it shall become effective upon the date of the exchange of ratifications which shall take place at Washington as soon as possible and shall continue in force for a period of sixteen years, and thereafter until one year from the day on which either of the High Contracting Parties shall give notice to the other of its desire to terminate it.

In witness whereof, the respective plenipotentiaries have signed the present Convention, and have affixed their seals thereto.

Done in duplicate at Washington, the twenty-sixth day of May, one thousand nine hundred and thirty.

VINCENT MASSEY,
HENRY L. STIMSON.



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CANADA
TREATY SERIES, 1937
No. 11



MULTILATERAL TREATY
FOR THE
LIMITATION OF NAVAL ARMAMENT
(WITH PROTOCOL OF SIGNATURE AND ADDITIONAL PROTOCOL)
SIGNED AT LONDON MARCH 25, 1936
CANADIAN RATIFICATION DEPOSITED JULY 29, 1937

IN FORCE JULY 29, 1937



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MULTILATERAL TREATY

FOR THE

LIMITATION OF NAVAL ARMAMENT (WITH PROTOCOL OF SIGNATURE AND ADDITIONAL PROTOCOL)

Signed at London March 25, 1936

TRAITÉ MULTILATÉRAL

POUR LA

LIMITATION DES ARMEMENTS NAVALS (AVEC PROTOCOLE DE SIGNATURE ET PROTOCOLE ADDITIONNEL)

Signé à Londres le 25 mars 1936



MULTILATERAL TREATY FOR THE LIMITATION OF NAVAL ARMAMENT

Signed at London, March 25, 1936

The President of the United States of America, the President of the French Republic and His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India;

Desiring to reduce the burdens and prevent the dangers inherent in competition in naval armament;

Desiring, in view of the forthcoming expiration of the Treaty for the Limitation of Naval Armament signed at Washington on the 6th February, 1922, and of the Treaty for the Limitation and Reduction of Naval Armament signed in London on the 22nd April, 1930 (save for Part IV thereof), to make provision for the limitation of naval armament, and for the exchange of information concerning naval construction;

Have resolved to conclude a Treaty for these purposes and have appointed as their Plenipotentiaries:—

The President of the United States of America:

The Honourable Norman H. Davis;

Admiral William H. Standley, United States Navy, Chief of Naval Operations;

The President of the French Republic:

His Excellency Monsieur Charles Corbin, Ambassador Extraordinary and Plenipotentiary of the French Republic at the Court of St. James;

Vice-Admiral Georges Robert, Member of the Supreme Naval Council, Inspector-General of the Naval Forces in the Mediterranean;

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

for Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

The Right Honourable Anthony Eden, M.C., M.P., His Principal Secretary of State for Foreign Affairs;

The Right Honourable Viscount Monsell, G.B.E., First Lord of His Admiralty;

Lieutenant-Colonel the Earl Stanhope, K.G., D.S.O., M.C., D.L., Parliamentary Under Secretary of State for Foreign Affairs;

for the Dominion of Canada:

The Honourable Vincent Massey, High Commissioner for the Dominion of Canada in London;

for the Commonwealth of Australia:

The Right Honourable Stanley Melbourne Bruce, C.H., M.C., High Commissioner for the Commonwealth of Australia in London;

TRAITÉ MULTILATÉRAL POUR LA LIMITATION DES ARMEMENTS NAVALS

Signé à Londres le 25 mars 1936

Le Président des Etats-Unis d'Amérique, le Président de la République Française et Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires Britanniques au-delà des Mers, Empereur des Indes,

Soucieux de réduire les charges et de prévenir les dangers inhérents à une rivalité d'armements navals,

Désireux, en raison de l'expiration prochaine du Traité pour la limitation des armements navals signé à Washington le 6 février 1922 et du Traité pour la limitation et la réduction des armements navals signé à Londres le 22 avril 1930 (sa partie IV exceptée), de prendre des dispositions pour la limitation des armements navals ainsi que pour l'échange de renseignements concernant les constructions navales,

Ont résolu de conclure un Traité à cet effet et ont désigné pour leurs Plénipotentiaires:

Le Président des Etats-Unis d'Amérique:

L'Honorable Norman H. Davis;

L'Amiral William H. Standley, Chef des opérations navales de la Marine des Etats-Unis;

Le Président de la République Française:

Son Excellence M. Charles Corbin, Ambassadeur Extraordinaire et Plénipotentiaire de la République Française auprès de la Cour de St. James;

Le Vice-Amiral Georges Robert, Membre du Conseil Supérieur de la Marine, Inspecteur général des Forces Maritimes de la Méditerranée;

Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires Britanniques au-delà des Mers, Empereur des Indes:

pour la Grande-Bretagne et l'Irlande du Nord et toutes les parties de l'Empire Britannique qui ne sont pas individuellement Membres de la Société des Nations:

Le Très Honorable Anthony Eden, M.C., M.P., Son Principal Secrétaire d'Etat pour les Affaires Etrangères;

Le Très Honorable Vicomte Monsell, G.B.E., Premier Lord de Son Amirauté;

Le Lieutenant-Colonel Comte Stanhope, K.G., D.S.O., M.C., D.L., Sous-Secrétaire d'Etat pour les Affaires Etrangères;

pour le Dominion du Canada:

L'Honorable Vincent Massey, Haut-Commissaire du Dominion du Canada à Londres;

pour le Commonwealth d'Australie:

Le Très Honorable Stanley Melbourne Bruce, C.H., M.C., Haut-Commissaire du Commonwealth d'Australie à Londres;

for the Dominion of New Zealand:

The Honourable Sir Christopher James Parr, G.C.M.G., High Commissioner for the Dominion of New Zealand in London;

for India:

Richard Austen Butler, Esquire, M.P., Parliamentary Under Secretary of State for India.

Who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

Part I

DEFINITIONS

ARTICLE 1

For the purposes of the present Treaty, the following expressions are to be understood in the sense hereinafter defined.

A.—*Standard Displacement.*

(1) The standard displacement of a surface vessel is the displacement of the vessel, complete, fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

(2) The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

(3) The word "ton" except in the expression "metric tons" denotes the ton of 2,240 lb. (1,016 kilos).

B.—*Categories.*

(1) *Capital Ships* are surface vessels of war belonging to one of the two following sub-categories:—

(a) surface vessels of war, other than aircraft carriers, auxiliary vessels, or capital ships of sub-category (b), the standard displacement of which exceeds 10,000 tons (10,160 metric tons) or which carry a gun with a calibre exceeding 8 in. (203 mm.);

(b) surface vessels of war, other than aircraft-carriers, the standard displacement of which does not exceed 8,000 tons (8,128 metric tons) and which carry a gun with a calibre exceeding 8 in. (203 mm.).

(2) *Aircraft-Carriers* are surface vessels of war, whatever their displacement, designed or adapted primarily for the purpose of carrying and operating aircraft at sea. The fitting of a landing-on or flying-off deck on any vessel of war, provided such vessel has not been designed or adapted primarily for the purpose of carrying and operating aircraft at sea, shall not cause any vessel so fitted to be classified in the category of aircraft-carriers.

pour le Dominion de la Nouvelle-Zélande:

L'Honorable Sir Christopher James Parr, G.C.M.G., Haut-Commissaire du Dominion de la Nouvelle-Zélande à Londres;

pour l'Inde:

M. Richard Austen Butler, M.P., Sous-Secrétaire d'Etat parlementaire pour l'Inde;

Lesquels, après s'être communiqué leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des dispositions suivantes:

Partie I

DÉFINITIONS

Article Premier

Dans le présent Traité, les expressions suivantes doivent s'entendre respectivement avec le sens ci-après:

A.—*Déplacement type.*

1. Le déplacement type d'un bâtiment de surface est le déplacement du bâtiment achevé, avec son équipage complet, ses machines et chaudières, prêt à prendre la mer, ayant tout son armement et toutes ses munitions, ses installations, équipements, vivres, eau douce pour l'équipage, approvisionnements divers, outillages et rechanges de toute nature qu'il doit emporter en temps de guerre, mais sans combustible et sans eau de réserve pour l'alimentation des machines et chaudières.

2. Le déplacement type d'un sous-marin est le déplacement en surface du bâtiment achevé (non compris l'eau des compartiments non étanches), avec son équipage complet, son appareil moteur, prêt à prendre la mer, ayant tout son armement et toutes ses munitions, ses installations, équipements, vivres pour l'équipage, outillages divers et rechanges de toute nature qu'il doit emporter en temps de guerre, mais sans combustible, huile lubrifiante, eau douce ou eau de ballast de toute sorte.

3. Le mot "tonne," sauf dans l'expression "tonnes métriques," désigne une tonne de 1.016 kilogrammes (2.240 lbs.).

B.—*Classes.*

1. Les *bâtiments de ligne* sont des bâtiments de guerre de surface appartenant à l'une des deux sous-classes suivantes:

(a) bâtiments de guerre de surface, autres que les bâtiments porte-aéronefs, les bâtiments auxiliaires ou les bâtiments de ligne de la sous-classe (b), dont le déplacement type est supérieur à 10,000 tonnes (10,160 tonnes métriques) ou qui portent un canon d'un calibre supérieur à 203 millimètres (8 pouces);

(b) bâtiments de guerre de surface, autres que les bâtiments porte-aéronefs, dont le déplacement type n'est pas supérieur à 8,000 tonnes (8,128 tonnes métriques) et qui portent un canon d'un calibre supérieur à 203 millimètres (8 pouces).

2. Les *bâtiments porte-aéronefs* sont des bâtiments de guerre de surface qui, quel que soit leur déplacement, sont conçus ou aménagés principalement pour transporter et mettre en action des aéronefs en mer. Si un bâtiment de guerre n'a pas été conçu ou aménagé principalement pour transporter et mettre en action des aéronefs en mer, l'installation sur ce bâtiment d'un pont d'atterrissage ou d'envol n'aura pas pour effet de le faire entrer dans la classe des bâtiments porte-aéronefs.

The category of aircraft-carriers is divided into two sub-categories as follows:—

- (a) vessels fitted with a flight deck, from which aircraft can take off, or on which aircraft can land from the air;
- (b) vessels not fitted with a flight deck as described in (a) above.

(3) *Light Surface Vessels* are surface vessels of war other than aircraft-carriers, minor war vessels or auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 10,000 tons (10,160 metric tons), and which do not carry a gun with a calibre exceeding 8 in. (203 mm.).

The category of light surface vessels is divided into three sub-categories as follows:—

- (a) vessels which carry a gun with a calibre exceeding 6·1 in. (155 mm.);
- (b) vessels which do not carry a gun with a calibre exceeding 6·1 in. (155 mm.) and the standard displacement of which exceeds 3,000 tons (3,048 metric tons);
- (c) vessels which do not carry a gun with a calibre exceeding 6·1 in. (155 mm.) and the standard displacement of which does not exceed 3,000 tons (3,048 metric tons).

(4) *Submarines* are all vessels designed to operate below the surface of the sea.

(5) *Minor War Vessels* are surface vessels of war, other than auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 2,000 tons (2,032 metric tons), provided they have none of the following characteristics:—

- (a) mount a gun with a calibre exceeding 6·1 in. (155 mm.);
- (b) are designed or fitted to launch torpedoes;
- (c) are designed for a speed greater than twenty knots.

(6) *Auxiliary Vessels* are naval surface vessels the standard displacement of which exceeds 100 tons (102 metric tons), which are normally employed on fleet duties or as troop transports, or in some other way than as fighting ships, and which are not specifically built as fighting ships, provided they have none of the following characteristics:—

- (a) mount a gun with a calibre exceeding 6·1 in. (155 mm.);
- (b) mount more than eight guns with a calibre exceeding 3 in. (76 mm.);
- (c) are designed or fitted to launch torpedoes;
- (d) are designed for protection by armour plate;
- (e) are designed for a speed greater than twenty-eight knots;
- (f) are designed or adapted primarily for operating aircraft at sea;
- (g) mount more than two aircraft-launching apparatus.

(7) *Small Craft* are naval surface vessels the standard displacement of which does not exceed 100 tons (102 metric tons).

La classe des bâtiments porte-aéronefs se subdivise en deux sous-classes, à savoir:

- (a) bâtiments pourvus d'un pont tel que les aéronefs puissent y prendre leur vol ou s'y poser;
- (b) bâtiments non pourvus du pont décrit au paragraphe (a) ci-dessus.

3. Les *bâtiments légers de surface* sont des bâtiments de guerre de surface, autres que les bâtiments porte-aéronefs, les petits navires de combat ou les bâtiments auxiliaires, dont le déplacement type est supérieur à 100 tonnes (102 tonnes métriques), sans dépasser 10,000 tonnes (10,160 tonnes métriques), et qui ne portent pas de canon d'un calibre supérieur à 203 millimètres (8 pouces).

La classe des bâtiments légers de surface se subdivise en trois sous-classes, à savoir:

- (a) bâtiments portant un canon d'un calibre supérieur à 155 millimètres (6.1 pouces);
- (b) bâtiments qui ne portent pas de canon d'un calibre supérieur à 155 millimètres (6.1 pouces), et dont le déplacement type est supérieur à 3,000 tonnes (3,048 tonnes métriques);
- (c) bâtiments qui ne portent pas de canon d'un calibre supérieur à 155 millimètres (6.1 pouces), et dont le déplacement type n'est pas supérieur à 3,000 tonnes (3,048 tonnes métriques).

4. Les *sous-marins* sont tous les bâtiments conçus pour naviguer au-dessous de la surface de la mer.

5. Les *petits navires de combat* sont des bâtiments de guerre de surface, autres que les bâtiments auxiliaires, dont le déplacement type est supérieur à 100 tonnes (102 tonnes métriques), sans dépasser 2,000 tonnes (2,032 tonnes métriques), et qui n'ont aucune des caractéristiques suivantes:

- (a) être armés d'un canon d'un calibre supérieur à 155 millimètres (6.1 pouces);
- (b) être conçus ou équipés pour lancer des torpilles;
- (c) être conçus pour atteindre une vitesse supérieure à vingt nœuds.

6. Les *bâtiments auxiliaires* sont des bâtiments de surface faisant partie de la flotte militaire, dont le déplacement type est supérieur à 100 tonnes (102 tonnes métriques), qui sont normalement utilisés pour le service de la flotte, ou comme transports de troupes, ou pour tout emploi autre que celui de bâtiments combattants, qui ne sont pas spécialement construits pour être des bâtiments combattants, et qui n'ont aucune des caractéristiques suivantes:

- (a) être armés d'un canon d'un calibre supérieur à 155 millimètres (6.1 pouces);
- (b) être armés de plus de huit canons d'un calibre supérieur à 76 millimètres (3 pouces);
- (c) être conçus ou équipés pour lancer des torpilles;
- (d) être conçus pour être protégés par des plaques de blindage;
- (e) être conçus pour atteindre une vitesse supérieure à vingt-huit nœuds;
- (f) être conçus ou aménagés principalement pour mettre en action des aéronefs en mer;
- (g) être équipés de plus de deux appareils à lancer des aéronefs.

7. Les *petits bâtiments* sont des bâtiments de surface faisant partie de la flotte militaire, dont le déplacement type n'est pas supérieur à 100 tonnes (102 tonnes métriques).

C.—Over-age.

Vessels of the following categories and sub-categories shall be deemed to be “over-age” when the undermentioned number of years have elapsed since completion:—

- (a) Capital ships 26 years.
- (b) Aircraft-carriers..... 20 years.
- (c) Light surface vessels, sub-categories (a) and (b):
 - (i) if laid down before 1st January, 1920.... 16 years.
 - (ii) if laid down after 31st December, 1919.. 20 years.
- (d) Light surface vessels, sub-category (c)..... 16 years.
- (e) Submarines..... 13 years.

D.—Month.

The word “month” in the present Treaty with reference to a period of time denotes the month of thirty days.

Part II**LIMITATION****ARTICLE 2**

After the date of the coming into force of the present Treaty, no vessel exceeding the limitations as to displacement or armament prescribed by this Part of the present Treaty shall be acquired by any High Contracting Party or constructed by, for or within the jurisdiction of any High Contracting Party.

ARTICLE 3

No vessel which at the date of the coming into force of the present Treaty carries guns with a calibre exceeding the limits prescribed by this Part of the present Treaty shall, if reconstructed or modernized, be rearmed with guns of a greater calibre than those previously carried by her.

ARTICLE 4

(1) No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement.

(2) No capital ship shall carry a gun with a calibre exceeding 14 in. (356 mm.); provided however that if any of the Parties to the Treaty for the Limitation of Naval Armament signed at Washington on the 6th February, 1922, should fail to enter into an agreement to conform to this provision prior to the date of the coming into force of the present Treaty, but in any case not later than the 1st April, 1937, the maximum calibre of gun carried by capital ships shall be 16 in. (406 mm.).

(3) No capital ship of sub-category (a), the standard displacement of which is less than 17,500 tons (17,780 metric tons), shall be laid down or acquired prior to the 1st January, 1943.

(4) No capital ship, the main armament of which consists of guns of less than 10 in. (254 mm.) calibre, shall be laid down or acquired prior to the 1st January, 1943.

C.—Bâtiments hors d'âge.

Les bâtiments des classes et sous-classes suivantes seront considérés comme "hors d'âge" lorsque, depuis leur achèvement, se sera écoulé le nombre d'années indiqué ci-dessous:

(a) pour un bâtiment de ligne.....	26 ans
(b) pour un bâtiment porte-aéronefs.....	20 ans
(c) pour un bâtiment léger de surface des sous-classes (a) et (b):	
(i) s'il a été mis sur cale avant le 1er janvier 1920	16 ans
(ii) s'il a été mis sur cale après le 31 décembre 1919.....	20 ans
(d) pour un bâtiment léger de surface de la sous- classe (c).....	16 ans
(e) pour un sous-marin.....	13 ans

D.—Mois.

Dans le présent Traité, le mot "mois", lorsqu'il se réfère à une période de temps, doit être entendu comme correspondant à une durée de trente jours.

Partie II

LIMITATIONS

ARTICLE 2

A partir de la date d'entrée en vigueur du présent Traité, aucun bâtiment dépassant les limites de déplacement ou d'armement prévues à la présente Partie dudit Traité ne devra être acquis par une Haute Partie Contractante, ni construit par elle, ou pour son compte, ou dans le ressort de sa juridiction.

ARTICLE 3

Aucun bâtiment qui, à la date d'entrée en vigueur du présent Traité, portera des canons d'un calibre supérieur aux limites fixées à la présente Partie dudit Traité, ne sera, s'il est reconstruit ou modernisé, réarmé de canons d'un calibre supérieur à celui des canons qu'il portait précédemment.

ARTICLE 4

1. Aucun bâtiment de ligne n'aura un déplacement type supérieur à 35,000 tonnes (35,560 tonnes métriques).

2. Aucun bâtiment de ligne ne portera de canon d'un calibre supérieur à 356 millimètres (14 pouces); il est entendu toutefois que si l'une des Parties au Traité pour la limitation des armements navals signé à Washington le 6 février 1922, ne prenait pas, avant la date d'entrée en vigueur du présent Traité, et en tout cas au plus tard le 1er avril 1937, l'engagement de se conformer à la présente disposition, le calibre maximum permis pour les canons des bâtiments de ligne sera de 406 millimètres (16 pouces).

3. Aucun bâtiment de ligne de la sous-classe (a) dont le déplacement type serait inférieur à 17,500 tonnes (17,780 tonnes métriques) ne sera mis sur cale ou acquis avant le 1er janvier 1943.

4. Aucun bâtiment de ligne dont l'armement principal consisterait en canons d'un calibre inférieur à 254 millimètres (10 pouces) ne sera mis sur cale ou acquis avant le 1er janvier 1943.

ARTICLE 5

(1) No aircraft carrier shall exceed 23,000 tons (23,368 metric tons) standard displacement or carry a gun with a calibre exceeding 6·1 in. (155 mm.).

(2) If the armament of any aircraft carrier includes guns exceeding 5·25 in. (134 mm.) in calibre, the total number of guns carried which exceed that calibre shall not be more than ten.

ARTICLE 6

(1) No light surface vessel of sub-category (b) exceeding 8,000 tons (8,128 metric tons) standard displacement, and no light surface vessel of sub-category (a) shall be laid down or acquired prior to the 1st January, 1943.

(2) Notwithstanding the provisions of paragraph (1) above, if the requirements of the national security of any High Contracting Party are, in His opinion, materially affected by the actual or authorized amount of construction by any Power of light surface vessels of sub-category (b), or of light surface vessels not conforming to the restrictions of paragraph (1) above, such High Contracting Party shall, upon notifying the other High Contracting Parties of His intentions and the reasons therefor, have the right to lay down or acquire light surface vessels of sub-categories (a) and (b) of any standard displacement up to 10,000 tons (10,610 metric tons) subject to the observance of the provisions of Part III of the present Treaty. Each of the other High Contracting Parties shall thereupon be entitled to exercise the same right.

(3) It is understood that the provisions of paragraph (1) above constitute no undertaking expressed or implied to continue the restrictions therein prescribed after the year 1942.

ARTICLE 7

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5·1 in. (130 mm.) in calibre.

ARTICLE 8

Every vessel shall be rated at its standard displacement, as defined in Article 1A of the present Treaty.

ARTICLE 9

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6·1 in. (155 mm.) in calibre.

ARTICLE 10

Vessels which were laid down before the date of the coming into force of the present Treaty, the standard displacement or armament of which exceeds the limitations or restrictions prescribed in this Part of the present Treaty for their category or sub-category, or vessels which before that date were converted to target use exclusively or retained exclusively for experimental or training purposes under the provisions of previous treaties, shall retain the category or designation which applied to them before the said date.

ARTICLE 5

1. Aucun bâtiment porte-aéronefs n'aura un déplacement type supérieur à 23,000 tonnes (23,368 tonnes métriques), ni ne portera de canon d'un calibre supérieur à 155 millimètres (6.1 pouces).

2. Si l'armement d'un bâtiment porte-aéronefs comprend des canons d'un calibre supérieur à 134 millimètres (5.25 pouces), le nombre total de canons dépassant ce calibre ne devra pas être supérieur à dix.

ARTICLE 6

1. Aucun bâtiment léger de surface de la sous-classe (b) dont le déplacement type dépasserait 8,000 tonnes (8,128 tonnes métriques), et aucun bâtiment léger de surface de la sous-classe (a) ne seront mis sur cale ou acquis avant le 1er janvier 1943.

2. Nonobstant les dispositions du paragraphe (1) ci-dessus, si une Haute Partie Contractante estime que les exigences de sa sécurité nationale sont matériellement affectées par le nombre de bâtiments légers de surface de la sous-classe (b) construits, en construction ou autorisés par une Puissance quelconque, ou par le fait qu'une telle Puissance construit des bâtiments légers de surface sans se conformer aux restrictions du paragraphe (1) ci-dessus, ladite Haute Partie Contractante aura, après avoir notifié ses intentions aux autres Hautes Parties Contractantes et leur en avoir exposé les motifs, le droit de mettre sur cale ou d'acquérir des bâtiments légers de surface des sous-classes (a) et (b) dont le déplacement type pourra atteindre 10,000 tonnes (10,160 tonnes métriques), pourvu qu'elle se conforme aux dispositions de la Partie III du présent Traité. Chacune des Hautes Parties Contractantes sera alors fondée à exercer le même droit.

3. Il est entendu qu'aucun engagement, explicite ou implicite, de maintenir postérieurement à l'année 1942 les restrictions prévues au paragraphe 1 ci-dessus, ne résulte dudit paragraphe 1.

ARTICLE 7

Aucun sous-marin n'aura un déplacement type supérieur à 2,000 tonnes (2,032 tonnes métriques), ni ne portera de canon d'un calibre supérieur à 130 millimètres (5.1 pouces).

ARTICLE 8

Tout bâtiment sera compté pour son déplacement type tel qu'il est défini au paragraphe A de l'article premier du présent Traité.

ARTICLE 9

Il ne sera fait, en temps de paix, aucune installation préparatoire sur les navires de commerce, en vue de les armer pour les transformer en bâtiments de guerre; toutefois il sera permis de renforcer les ponts pour y monter des canons d'un calibre ne dépassant pas 155 millimètres (6.1 pouces).

ARTICLE 10

Conserveront leur classe ou leur désignation précédente, les bâtiments mis sur cale avant la date d'entrée en vigueur du présent Traité, dont le déplacement type ou l'armement dépasserait les limitations ou restrictions prévues, pour leur classe ou leur sous-classe, à la présente partie dudit Traité, ainsi que les bâtiments qui, avant cette date, et conformément aux dispositions des traités antérieurs, ont été transformés pour l'usage exclusif de cible, ou conservés pour servir exclusivement à des expériences ou à l'instruction.

Part III

ADVANCE NOTIFICATION AND EXCHANGE OF INFORMATION

ARTICLE 11

(1) Each of the High Contracting Parties shall communicate every year to each of the other High Contracting Parties information, as hereinafter provided, regarding His annual program for the construction and acquisition of all vessels of the categories and sub-categories mentioned in Article 12 (a), whether or not the vessels concerned are constructed within His own jurisdiction, and periodical information giving details of such vessels and of any alterations to vessels of the said categories or sub-categories already completed.

(2) For the purposes of this and the succeeding Parts of the present Treaty, information shall be deemed to have reached a High Contracting Party on the date upon which such information is communicated to His Diplomatic Representatives accredited to the High Contracting Party by whom the information is given.

(3) This information shall be treated as confidential until published by the High Contracting Party supplying it.

ARTICLE 12

The information to be furnished under the preceding Article in respect of vessels constructed by or for a High Contracting Party shall be given as follows; and so as to reach all the other High Contracting Parties within the periods or at the times mentioned:—

(a) Within the first four months of each calendar year, the Annual Program of construction of all vessels of the following categories and sub-categories, stating the number of vessels of each category or sub-category and, for each vessel, the calibre of the largest gun. The categories and sub-categories in question are:—

Capital Ships—

sub-category (a)

sub-category (b)

Aircraft-Carriers—

sub-category (a)

sub-category (b)

Light Surface Vessels—

sub-category (a)

sub-category (b)

sub-category (c)

Submarines.

(b) Not less than four months before the date of the laying of the keel, the following particulars in respect of each such vessel:—

Name or designation;

Category and sub-category;

Standard displacement in tons and metric tons;

Length at waterline at standard displacement;

Extreme beam at or below waterline at standard displacement;

Mean draught at standard displacement;

Partie III

PRÉAVIS ET ÉCHANGES DE RENSEIGNEMENTS

ARTICLE 11

1. Chacune des Hautes Parties Contractantes communiquera chaque année aux autres Hautes Parties Contractantes, ainsi qu'il est prévu ci-après, des renseignements concernant son programme annuel de construction et d'acquisition de tous bâtiments des classes et sous-classes mentionnées au paragraphe (a) de l'article 12, que ceux-ci soient ou non construits dans le ressort de sa juridiction; elle leur communiquera également, de manière périodique, des renseignements détaillés relatifs auxdits bâtiments ainsi qu'à toutes les modifications qui seraient apportées à des bâtiments déjà achevés desdites classes ou sous-classes.

2. Aux fins de la présente partie et des parties suivantes du Traité, tout renseignement sera considéré comme étant parvenu à une Haute Partie Contractante à la date à laquelle en auront reçu communication ses représentants diplomatiques accrédités auprès de la Haute Partie Contractante qui fournit les renseignements.

3. Ces renseignements devront conserver un caractère confidentiel jusqu'à leur publication par la Haute Partie Contractante qui les a fournis.

ARTICLE 12

Les renseignements à fournir en vertu de l'article précédent, au sujet de bâtiments construits par une Haute Partie Contractante ou pour son compte, seront donnés comme suit, à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans les délais ou au moment prescrits:

(a) Dans les quatre premiers mois de chaque année civile, le programme annuel de construction de tous bâtiments des classes et sous-classes ci-après, en indiquant le nombre de bâtiments de chaque classe ou sous-classe, et, pour chaque bâtiment, le calibre du plus gros canon. Les classes et sous-classes en question sont les suivantes:

Bâtiments de ligne:

sous-classe (a)

sous-classe (b)

Bâtiments porte-aéronefs:

sous-classe (a)

sous-classe (b)

Bâtiments légers de surface:

sous-classe (a)

sous-classe (b)

sous-classe (c)

Sous-marins.

(b) Au moins quatre mois avant la date de la mise sur cale, les renseignements suivants au sujet de chacun de ces bâtiments:

Nom ou appellation.

Classe et sous-classe.

Déplacement type en tonnes et en tonnes métriques.

Longueur à la ligne de flottaison correspondant au déplacement type.

Largeur maxima à ou sous la ligne de flottaison correspondant au déplacement type.

Tirant d'eau moyen correspondant au déplacement type.

Designed horse-power;
 Designed speed;
 Type of machinery;
 Type of fuel;
 Number and calibre of all guns of 3 in. (76 mm.) calibre and above;
 Approximate number of guns of less than 3 in. (76 mm.) calibre;
 Number of torpedo tubes;
 Whether designed to lay mines;
 Approximate number of aircraft for which provision is to be made.

(c) As soon as possible after the laying-down of the keel of each such vessel, the date on which it was laid.

(d) Within one month after the date of completion of each such vessel, the date of completion together with all the particulars specified in paragraph (b) above relating to the vessel on completion.

(e) Annually during the month of January, in respect of vessels belonging to the categories and sub-categories mentioned in paragraph (a) above:

(i) Information as to any important alterations which it may have proved necessary to make during the preceding year in vessels under construction, in so far as these alterations affect the particulars mentioned in paragraph (b) above.

(ii) Information as to any important alterations made during the preceding year in vessels previously completed, in so far as these alterations affect the particulars mentioned in paragraph (b) above.

(iii) Information concerning vessels which may have been scrapped or otherwise disposed of during the preceding year. If such vessels are not scrapped, sufficient information shall be given to enable their new status and condition to be determined.

(f) Not less than four months before undertaking such alterations as would cause a complete vessel to come within one of the categories or sub-categories mentioned in paragraph (a) above, or such alterations as would cause a vessel to change from one to another of the said categories or sub-categories: information as to her intended characteristics as specified in paragraph (b) above.

ARTICLE 13

No vessel coming within the categories or sub-categories mentioned in Article 12 (a) shall be laid down by any High Contracting Party until after the expiration of a period of four months both from the date on which the Annual Program in which the vessel is included, and from the date on which the particulars in respect of that vessel prescribed by Article 12 (b), have reached all the other High Contracting Parties.

ARTICLE 14

If a High Contracting Party intends to acquire a completed or partially completed vessel coming within the categories or sub-categories mentioned in Article 12 (a), that vessel shall be declared at the same time and in the same manner as the vessels included in the Annual Program prescribed in the said Article. No such vessel shall be acquired until after the expiration of a period of

Puissance en chevaux prévue.

Vitesse prévue.

Type des machines.

Type du combustible.

Nombre et calibre de tous les canons d'un calibre égal ou supérieur à 76 millimètres (3 pouces).

Nombre approximatif des canons d'un calibre inférieur à 76 millimètres (3 pouces).

Nombre de tubes lance-torpilles.

Le navire est-il conçu pour la pose de mines?

Nombre approximatif des aéronefs pour lesquels des installations sont prévues.

(c) Dès que possible après la mise sur cale de chacun de ces bâtiments, la date à laquelle celle-ci a eu lieu.

(d) Dans le mois qui suit la date d'achèvement de chacun de ces bâtiments, la date de cet achèvement, ainsi que toutes les caractéristiques indiquées au paragraphe (b) ci-dessus, relatives au bâtiment au moment de son achèvement.

(e) Chaque année, au cours du mois de janvier, pour les bâtiments entrant dans les classes et sous-classes mentionnées au paragraphe (a) ci-dessus:

(i) des renseignements sur toutes modifications importantes qu'il serait devenu nécessaire d'apporter, au cours de l'année précédente, aux bâtiments en construction, pour autant que ces modifications affectent les caractéristiques mentionnées au paragraphe (b) ci-dessus;

(ii) des renseignements sur toutes modifications importantes apportées, au cours de l'année précédente, à des bâtiments déjà achevés, pour autant qu'elles affectent les caractéristiques mentionnées au paragraphe (b) ci-dessus;

(iii) des renseignements concernant les bâtiments qui auraient été détruits ou déclassés de quelque autre façon au cours de l'année précédente. Si ces bâtiments n'ont pas été détruits, il sera donné des renseignements suffisants pour permettre de déterminer leur nouvelle situation ou leur nouvel état.

(f) Au moins quatre mois avant d'entreprendre des modifications de nature à faire entrer un bâtiment déjà achevé dans une des classes ou sous-classes mentionnées au paragraphe (a) ci-dessus, ou à faire passer un tel bâtiment de l'une dans l'autre de ces classes ou sous-classes: les renseignements sur ses caractéristiques projetées, comme indiqué au paragraphe (b) ci-dessus.

ARTICLE 13

Aucun bâtiment entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12 ne sera mis sur cale par une Haute Partie Contractante avant l'expiration d'un délai de quatre mois à compter de la date à laquelle seront parvenues à toutes les autres Hautes Parties Contractantes, tant le programme annuel dans lequel le bâtiment est compris, que les caractéristiques relatives à ce bâtiment mentionnées au paragraphe (b) de l'article 12.

ARTICLE 14

Si une Haute Partie Contractante a l'intention d'acquérir un bâtiment totalement ou partiellement achevé, entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, ce bâtiment devra être déclaré en même temps et de la même façon que les bâtiments inclus dans le programme annuel prescrit par ledit paragraphe. Un tel bâtiment ne pourra pas être acquis avant l'expiration d'un délai de quatre mois à compter de la date à laquelle ladite

four months from the date on which such declaration has reached all the other High Contracting Parties. The particulars mentioned in Article 12 (b), together with the date on which the keel was laid, shall be furnished in respect of such vessel so as to reach all the other High Contracting Parties within one month after the date on which the contract for the acquisition of the vessel was signed. The particulars mentioned in Article 12 (d), (e) and (f) shall be given as therein prescribed.

ARTICLE 15

At the time of communicating the Annual Program prescribed by Article 12 (a), each High Contracting Party shall inform all the other High Contracting Parties of all vessels included in His previous Annual Programs and declarations that have not yet been laid down or acquired, but which it is the intention to lay down or acquire during the period covered by the first mentioned Annual Program.

ARTICLE 16

If, before the keel of any vessel coming within the categories or sub-categories mentioned in Article 12 (a) is laid, any important modification is made in the particulars regarding her which have been communicated under Article 12 (b), information concerning this modification shall be given, and the laying of the keel shall be deferred until at least four months after this information has reached all the other High Contracting Parties.

ARTICLE 17

No High Contracting Party shall lay down or acquire any vessel of the categories or sub-categories mentioned in Article 12 (a), which has not previously been included in His Annual Program of construction or declaration of acquisition for the current year or in any earlier Annual Program or declaration.

ARTICLE 18

If the construction, modernization or reconstruction of any vessel coming within the categories or sub-categories mentioned in Article 12 (a), which is for the order of a Power not a party to the present Treaty, is undertaken within the jurisdiction of any High Contracting Party, He shall promptly inform all the other High Contracting Parties of the date of the signing of the contract and shall also give as soon as possible in respect of the vessel all the information mentioned in Article 12 (b), (c) and (d).

ARTICLE 19

Each High Contracting Party shall give lists of all His minor war vessels and auxiliary vessels with their characteristics, as enumerated in Article 12 (b), and information as to the particular service for which they are intended, so as to reach all the other High Contracting Parties within one month after the date of the coming into force of the present Treaty; and, so as to reach all the other High Contracting Parties within the month of January in each subsequent year, any amendments in the lists and changes in the information.

ARTICLE 20

Each of the High Contracting Parties shall communicate to each of the other High Contracting Parties, so as to reach the latter within one month after the date of the coming into force of the present Treaty, particulars, as mentioned in Article 12 (b), of all vessels of the categories or sub-categories mentioned in

déclaration sera parvenue à toutes les autres Hautes Parties Contractantes. Les caractéristiques indiquées au paragraphe (b) de l'article 12 seront fournies pour ce bâtiment, en même temps que la date de sa mise sur cale, à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le délai d'un mois à compter de la date de la signature du contrat d'achat du bâtiment. Les caractéristiques qui font l'objet des paragraphes (d), (e) et (f) de l'article 12 seront fournies ainsi qu'il est prévu auxdits paragraphes.

ARTICLE 15

Au moment où elle communiquera le programme annuel prévu au paragraphe (a) de l'article 12, chacune des Hautes Parties Contractantes fera connaître à toutes les autres Hautes Parties Contractantes quels sont les bâtiments, compris dans ses déclarations et ses programmes annuels précédents, qui n'ont pas encore été mis sur cale ou acquis par elle, mais qu'elle a l'intention de mettre sur cale ou d'acquérir pendant la période couverte par ledit programme.

ARTICLE 16

Si, avant la mise sur cale d'un bâtiment entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, une modification importante est apportée aux caractéristiques déjà communiquées en application du paragraphe (b) du même article, les renseignements concernant cette modification devront être communiqués; la mise sur cale sera retardée jusqu'à l'expiration d'un délai d'au moins quatre mois à compter de la date à laquelle ces renseignements seront parvenus à toutes les Hautes Parties Contractantes.

ARTICLE 17

Aucune Haute Partie Contractante ne pourra mettre sur cale ou acquérir de bâtiment des classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, si ce bâtiment n'a pas été antérieurement compris dans son programme annuel de construction ou dans sa déclaration d'acquisition pour l'année en cours, ou dans l'un de ses programmes ou déclarations antérieurs.

ARTICLE 18

Au cas où, dans le ressort de la juridiction de l'une des Hautes Parties Contractantes, serait entreprise la construction, reconstruction ou modernisation d'un bâtiment entrant dans les classes ou sous-classes mentionnées au paragraphe (a) de l'article 12, pour le compte d'une Puissance non partie au présent Traité, la Haute Partie Contractante intéressée portera sans délai à la connaissance de toutes les autres Hautes Parties Contractantes la date de la signature du contrat et, aussitôt que possible, tous les renseignements relatifs audit bâtiment indiqués aux paragraphes (b), (c) et (d) de l'article 12.

ARTICLE 19

Chacune des Hautes Parties Contractantes communiquera, à temps pour qu'elles parviennent à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date d'entrée en vigueur du présent Traité, des listes de tous ses petits navires de combat et bâtiments auxiliaires, comportant les caractéristiques énoncées au paragraphe (b) de l'article 12, et l'indication de l'emploi particulier auquel ils sont destinés; par la suite, elle communiquera, à temps pour qu'elles parviennent à la connaissance de toutes les autres Hautes Parties Contractantes dans le courant du mois de janvier de chaque année, toutes modifications qu'il conviendrait d'apporter à ces listes ainsi qu'aux indications susvisées.

ARTICLE 20

Chacune des Hautes Parties Contractantes communiquera aux autres Hautes Parties Contractantes, à temps pour qu'elles leur parviennent dans le mois qui suivra la date d'entrée en vigueur du présent Traité, les caractéristiques indiquées au paragraphe (b) de l'article 12, de tous bâtiments des classes et sous-

Article 12 (a), which are then under construction for Him, whether or not such vessels are being constructed within His own jurisdiction, together with similar particulars relating to any such vessels then under construction within His own jurisdiction for a Power not a party to the present Treaty.

ARTICLE 21

(1) At the time of communicating His initial Annual Program of construction and declaration of acquisition, each High Contracting Party shall inform each of the other High Contracting Parties of any vessels of the categories or sub-categories mentioned in Article 12 (a), which have been previously authorized and which it is the intention to lay down or acquire during the period covered by the said Program.

(2) Nothing in this Part of the present Treaty shall prevent any High Contracting Party from laying down or acquiring, at any time during the four months following the date of the coming into force of the Treaty, any vessel included, or to be included, in His initial Annual Program of construction or declaration of acquisition, or previously authorized, provided that the information prescribed by Article 12 (b) concerning each vessel shall be communicated so as to reach all the other High Contracting Parties within one month after the date of the coming into force of the present Treaty.

(3) If the present Treaty should not come into force before the 1st May, 1937, the initial Annual Program of construction and declaration of acquisition, to be communicated under Articles 12 (a) and 14 shall reach all the other High Contracting Parties within one month after the date of the coming into force of the present Treaty.

Part IV

GENERAL AND SAFEGUARDING CLAUSES

ARTICLE 22

No High Contracting Party shall, by gift, sale or any mode of transfer, dispose of any of His surface vessels of war or submarines in such a manner that such vessel may become a surface vessel of war or a submarine in any foreign navy. This provision shall not apply to auxiliary vessels.

ARTICLE 23

(1) Nothing in the present Treaty shall prejudice the right of any High Contracting Party, in the event of loss or accidental destruction of a vessel, before the vessel in question has become over-age, to replace such vessel by a vessel of the same category or sub-category as soon as the particulars of the new vessel mentioned in Article 12 (b) shall have reached all the other High Contracting Parties.

(2) The provisions of the preceding paragraph shall also govern the immediate replacement, in such circumstances, of a light surface vessel of sub-category (b) exceeding 8,000 tons (8,128 metric tons) standard displacement, or of a light surface vessel of sub-category (a), before the vessel in question has become over-age, by a light surface vessel of the same sub-category of any standard displacement up to 10,000 tons (10,160 metric tons).

ARTICLE 24

(1) If any High Contracting Party should become engaged in war, such High Contracting Party may, if He considers the naval requirements of His

classes mentionnées au paragraphe (a) du même article, qui seraient à ce moment en construction pour son compte, que ces bâtiments soient ou non construits dans le ressort de sa juridiction, ainsi que les mêmes caractéristiques concernant de tels bâtiments en construction à ce moment, dans le ressort de sa juridiction, pour le compte d'une Puissance non partie au présent Traité.

ARTICLE 21

1. Au moment où elle communiquera son premier programme annuel de construction et sa première déclaration d'acquisition, chacune des Hautes Parties Contractantes fera connaître aux autres Hautes Parties Contractantes tous les bâtiments appartenant aux classes et sous-classes mentionnées au paragraphe (a) de l'article 12, qui ont été précédemment autorisés et qu'elle a l'intention de mettre sur cale ou d'acquérir pendant la période couverte par ledit programme.

2. Aucune disposition de la présente partie du présent Traité n'empêchera une Haute Partie Contractante de mettre sur cale ou d'acquérir à tout moment, dans les quatre mois qui suivront la date d'entrée en vigueur du Traité, tout bâtiment compris ou à comprendre dans son premier programme annuel de construction ou dans sa première déclaration d'acquisition, ou précédemment autorisé, à condition que les renseignements prescrits au paragraphe (b) de l'article 12 soient, pour chaque bâtiment, fournis à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date d'entrée en vigueur du présent Traité.

3. Au cas où le présent Traité n'entrerait pas en vigueur avant le 1er mai 1937, le premier programme annuel de construction et la première déclaration d'acquisition à communiquer en vertu du paragraphe (a) de l'article 12 ou de l'article 14 devront parvenir aux autres Hautes Parties Contractantes dans le mois qui suivra l'entrée en vigueur du présent Traité.

Partie IV

DISPOSITIONS GÉNÉRALES ET CLAUSES DE SAUVEGARDE

ARTICLE 22

Aucune Haute Partie Contractante ne disposera à titre gratuit, à titre onéreux, ou autrement, de ses bâtiments de guerre de surface ou de ses sous-marins, dans des conditions permettant à une Marine étrangère de les employer comme tels. La présente disposition ne s'applique pas aux bâtiments auxiliaires.

ARTICLE 23

1. Aucune disposition du présent Traité ne portera atteinte au droit qu'a chacune des Hautes Parties Contractantes, en cas de perte ou de destruction accidentelle, de remplacer un bâtiment qui ne serait pas encore hors d'âge, par un bâtiment de la même classe ou sous-classe, aussitôt que les caractéristiques du nouveau bâtiment, comme prévu au paragraphe (b) de l'article 12, seront parvenues à toutes les autres Hautes Parties Contractantes.

2. Les dispositions du paragraphe précédent s'appliqueront également au remplacement immédiat, dans les mêmes circonstances, d'un bâtiment léger de surface de la sous-classe (b) dont le déplacement type dépasse 8,000 tonnes (8,128 tonnes métriques), ou d'un bâtiment léger de surface de la sous-classe (a), si le bâtiment en question n'est pas encore hors d'âge, par un bâtiment léger de surface de la même sous-classe dont le déplacement type pourra atteindre 10,000 tonnes (10,160 tonnes métriques).

ARTICLE 24

1. Si une Haute Partie Contractante se trouve engagée dans une guerre, elle pourra, si elle estime que les exigences de sa défense maritime en sont matérielle-

defence are materially affected, suspend, in so far as He is concerned, any or all of the obligations of the present Treaty, provided that He shall promptly notify the other High Contracting Parties that the circumstances require such suspension, and shall specify the obligations it is considered necessary to suspend.

(2) The other High Contracting Parties shall in such case promptly consult together, and shall examine the situation thus presented with a view to agreeing as to the obligations of the present Treaty, if any, which each of the said High Contracting Parties may suspend. Should such consultation not produce agreement, any of the said High Contracting Parties may suspend, in so far as He is concerned, any or all of the obligations of the present Treaty, provided that He shall promptly give notice to the other High Contracting Parties of the obligations which it is considered necessary to suspend.

(3) On the cessation of hostilities, the High Contracting Parties shall consult together with a view to fixing a date upon which the obligations of the Treaty which have been suspended shall again become operative, and to agreeing upon any amendments in the present Treaty which may be considered necessary.

ARTICLE 25

(1) In the event of any vessel not in conformity with the limitations and restrictions as to standard displacement and armament prescribed by Articles 4, 5 and 7 of the present Treaty being authorized, constructed or acquired by a Power not a party to the present Treaty, each High Contracting Party reserves the right to depart if, and to the extent to which, He considers such departures necessary in order to meet the requirements of His national security;

(a) during the remaining period of the Treaty, from the limitations and restrictions of Articles 3, 4, 5, 6 (1) and 7, and

(b) during the current year, from His Annual Programs of construction and declarations of acquisition.

This right shall be exercised in accordance with the following provisions:—

(2) Any High Contracting Party who considers it necessary that such right should be exercised, shall notify the other High Contracting Parties to that effect, stating precisely the nature and extent of the proposed departures and the reasons therefor.

(3) The High Contracting Parties shall thereupon consult together and endeavour to reach an agreement with a view to reducing to a minimum the extent of the departures which may be made.

(4) On the expiration of a period of three months from the date of the first of any notifications which may have been given under paragraph (2) above, each of the High Contracting Parties shall, subject to any agreement which may have been reached to the contrary, be entitled to depart during the remaining period of the present Treaty from the limitations and restrictions prescribed in Articles 3, 4, 5, 6 (1) and 7 thereof.

(5) On the expiration of the period mentioned in the preceding paragraph, any High Contracting Party shall be at liberty, subject to any agreement which may have been reached during the consultations provided for in paragraph (3) above, and on informing all the other High Contracting Parties, to depart from His Annual Programs of construction and declarations of acquisition and to alter the characteristics of any vessels building or which have already appeared in His Programs or declarations.

(6) In such event, no delay in the acquisition, the laying of the keel, or the altering of any vessel shall be necessary by reason of any of the provisions of Part III of the present Treaty. The particulars mentioned in Article 12 (b) shall, however, be communicated to all the other High Contracting Parties before the keels of any vessels are laid. In the case of acquisition, information relating to the vessel shall be given under the provisions of Article 14.

ment affectées, suspendre, pour ce qui la concerne, l'exécution d'un ou de toutes les obligations du présent Traité, à condition de notifier rapidement aux autres Hautes Parties Contractantes que les circonstances exigent cette suspension, et de spécifier les obligations dont elle juge nécessaire de suspendre l'exécution.

2. Dans ce cas, les autres Hautes Parties Contractantes se consulteront rapidement et examineront la situation qui se présente, en vue de s'entendre sur les obligations du présent Traité dont chacune desdites Hautes Parties Contractantes pourrait, le cas échéant, suspendre l'exécution. Au cas où cette consultation n'aboutirait pas à un accord, l'une quelconque desdites Hautes Parties Contractantes pourra suspendre, pour ce qui la concerne, l'exécution d'une ou de toutes les obligations du présent Traité, à condition de donner rapidement avis aux autres Hautes Parties Contractantes des obligations dont elle juge nécessaire de suspendre l'exécution.

3. A la cessation des hostilités, les Hautes Parties Contractantes se consulteront en vue de fixer une date à laquelle les obligations du Traité dont l'exécution a été suspendue entreront de nouveau en vigueur, et de se mettre d'accord sur tous amendements au présent Traité qui seraient jugés nécessaires.

ARTICLE 25

1. Au cas où des bâtiments non conformes aux limitations et restrictions de déplacement type et d'armements prescrites par les articles 4, 5 et 7 du présent Traité seraient autorisés, construits ou acquis par une Puissance non partie audit Traité, chacune des Hautes Parties Contractantes se réserve le droit de déroger, dans le cas et dans la mesure où elle estimerait de telles dérogations nécessaires pour répondre aux exigences de sa sécurité nationale:

(a) pendant le reste de la durée du Traité, aux limitations et restrictions des articles 3, 4, 5, 6 paragraphe (1) et 7;

(b) pendant l'année en cours, à ses programmes annuels de construction et à ses déclarations d'acquisition.

Ce droit sera exercé conformément aux dispositions suivantes:

2. Toute Haute Partie Contractante qui estimerait nécessaire d'exercer ce droit, en donnera notification aux autres Hautes Parties Contractantes, en indiquant avec précision la nature, la portée et les motifs des dérogations projetées.

3. Après quoi les Hautes Parties Contractantes se consulteront et s'efforceront d'aboutir à un accord en vue de réduire au minimum la portée des dérogations éventuelles.

4. A l'expiration d'un délai de trois mois à compter de la date à laquelle aura été faite la première des notifications prévues au paragraphe (2) ci-dessus, chacune des Hautes Parties Contractantes sera, à moins d'accord contraire, fondée à déroger, pendant le reste de la durée du présent Traité, aux limitations et restrictions prescrites par les articles 3, 4, 5, 6 paragraphe (1) et 7 dudit Traité.

5. A l'expiration du délai visé au paragraphe précédent, toute Haute Partie Contractante pourra, à moins qu'un accord n'intervienne au cours des consultations prévues au paragraphe (3) ci-dessus, et après en avoir informé toutes les autres Hautes Parties Contractantes, déroger à ses programmes annuels de construction et à ses déclarations d'acquisition, et modifier les caractéristiques de tous bâtiments en construction ou figurant déjà dans ses programmes ou déclarations.

6. En pareil cas, aucune des dispositions de la partie III du présent Traité ne pourra être invoquée pour imposer un retard dans l'acquisition, la mise sur cale, ou la modification d'aucun bâtiment. Toutefois, les renseignements prévus au paragraphe (b) de l'article 12 seront communiqués à toutes les autres Hautes Parties Contractantes avant la mise sur cale de tout bâtiment. En cas d'acquisition, les renseignements relatifs aux bâtiments acquis seront fournis conformément aux dispositions de l'article 14.

ARTICLE 26

(1) If the requirements of the national security of any High Contracting Party should, in His opinion, be materially affected by any change of circumstances, other than those provided for in Article 6 (2), 24 and 25 of the present Treaty, such High Contracting Party shall have the right to depart for the current year from His Annual Programs of construction and declarations of acquisition. The amount of construction by any Party to the Treaty, within the limitations and restrictions thereof, shall not, however, constitute a change of circumstances for the purposes of the present Article. The above mentioned right shall be exercised in accordance with the following provisions:—

(2) Such High Contracting Party shall, if He desires to exercise the above mentioned right, notify all the other High Contracting Parties to that effect, stating in what respects He proposes to depart from His Annual Programs of construction and declarations of acquisition, giving reasons for the proposed departure.

(3) The High Contracting Parties will thereupon consult together with a view to agreement as to whether any departures are necessary in order to meet the situation.

(4) On the expiration of a period of three months from the date of the first of any notifications which may have been given under paragraph (2) above, each of the High Contracting Parties shall, subject to any agreement which may have been reached to the contrary, be entitled to depart from His Annual Programs of construction and declarations of acquisition, provided notice is promptly given to the other High Contracting Parties stating precisely in what respects He proposes so to depart.

(5) In such event, no delay in the acquisition, the laying of the keel, or the altering of any vessel shall be necessary by reason of any of the provisions of Part III of the present Treaty. The particulars mentioned in Article 12 (b) shall, however, be communicated to all the other High Contracting Parties before the keels of any vessels are laid. In the case of acquisition, information relating to the vessel shall be given under the provisions of Article 14.

Part V

FINAL CLAUSES

ARTICLE 27

The present Treaty shall remain in force until the 31st December, 1942.

ARTICLE 28

(1) His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland will, during the last quarter of 1940, initiate through the diplomatic channel a consultation between the Governments of the Parties to the present Treaty with a view to holding a conference in order to frame a new treaty for the reduction and limitation of naval armament. This conference shall take place in 1941 unless the preliminary consultations should have shown that the holding of such a conference at that time would not be desirable or practicable.

(2) In the course of the consultation referred to in the preceding paragraph, views shall be exchanged in order to determine whether, in the light of the circumstances then prevailing and the experience gained in the interval in the design and construction of capital ships, it may be possible to agree upon a

ARTICLE 26

1. Au cas où une Haute Partie Contractante estimerait que les exigences de sa sécurité nationale sont matériellement affectées par un changement de circonstances autre que ceux prévus au paragraphe (2) de l'article 6 et aux articles 24 et 25 du présent Traité, cette Haute Partie Contractante aura le droit de déroger, pendant l'année en cours, à ses programmes annuels de construction et à ses déclarations d'acquisition. Toutefois, le volume des constructions auxquelles une Partie au Traité procéderait en conformité avec les limitations et restrictions établies par ledit Traité, ne saurait constituer un changement de circonstances aux fins du présent article. Le droit sus-mentionné sera exercé conformément aux dispositions ci-après.

2. Ladite Haute Partie Contractante, si elle estime nécessaire d'exercer ce droit, le notifiera à toutes les autres Hautes Parties Contractantes, en indiquant dans quelle mesure elle se propose de déroger à ses programmes annuels de construction et à ses déclarations d'acquisition en fournissant les motifs des dérogations projetées.

3. Après quoi les Hautes Parties Contractantes se consulteront en vue de déterminer d'un commun accord si des dérogations sont nécessaires pour faire face à la situation.

4. A l'expiration d'un délai de trois mois à compter de la date à laquelle aura été faite la première des notifications prévues au paragraphe (2) ci-dessus, chacune des Hautes Parties Contractantes sera, à moins d'accord contraire, fondée à déroger à ses programmes annuels de construction et à ses déclarations d'acquisition, à condition d'en donner rapidement avis aux autres Hautes Parties Contractantes, en indiquant avec précision dans quelle mesure elle entend y déroger.

5. En pareil cas, aucune des dispositions de la partie III du présent Traité ne pourra être invoquée pour imposer un retard dans l'acquisition, la mise sur cale ou la modification d'aucun bâtiment. Toutefois, les renseignements prévus au paragraphe (b) de l'article 12 seront communiqués à toutes les autres Hautes Parties Contractantes avant la mise sur cale de tout bâtiment. En cas d'acquisition, les renseignements relatifs aux bâtiments acquis seront fournis conformément aux dispositions de l'article 14.

Partie V

DISPOSITIONS FINALES

ARTICLE 27

Le présent Traité demeurera en vigueur jusqu'au 31 décembre 1942.

ARTICLE 28

1. Au cours du dernier trimestre de 1940, le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord ouvrira une consultation, par la voie diplomatique, entre les Gouvernements des Parties du présent Traité, en vue de réunir une conférence pour élaborer un nouveau traité pour la réduction et la limitation des armements navals. Cette conférence se tiendra en 1941, à moins qu'au cours de cette consultation préliminaire, il apparaisse qu'il ne soit ni désirable, ni praticable, de réunir une telle conférence à ce moment.

2. Au cours de la consultation prévue au paragraphe précédent, les Hautes Parties Contractantes échangeront leurs vues afin de déterminer si, à la lumière des circonstances du moment ainsi que de l'expérience acquise d'ici là dans l'établissement des plans et dans la construction de bâtiments de ligne, il serait possible de se mettre d'accord sur une réduction du déplacement type ou du calibre de

reduction in the standard displacement or calibre of guns of capital ships to be constructed under future annual programs and thus, if possible, to bring about a reduction in the cost of capital ships.

ARTICLE 29

None of the provisions of the present Treaty shall constitute a precedent for any future treaty.

ARTICLE 30

(1) The present Treaty shall be ratified by the Signatory Powers in accordance with their respective constitutional methods, and the instruments of ratification shall be deposited as soon as possible with His Majesty's Government in the United Kingdom, which will transmit certified copies of all the *procès-verbaux* of the deposits of ratifications to the Governments of the said Powers and of any country on behalf of which accession has been made in accordance with the provisions of Article 31.

(2) The Treaty shall come into force on the 1st January, 1937, provided that by that date the instruments of ratification of all the said Powers shall have been deposited. If all the above-mentioned instruments of ratification have not been deposited by the 1st January, 1937, the Treaty shall come into force so soon thereafter as these are all received.

ARTICLE 31

(1) The present Treaty shall, at any time after this day's date, be open to accession on behalf of any country for which the Treaty for the Limitation and Reduction of Naval Armament was signed in London on the 22nd April, 1930, but for which the present Treaty has not been signed. The instrument of accession shall be deposited with His Majesty's Government in the United Kingdom, which will transmit certified copies of the *procès-verbaux* of the deposit to the Governments of the Signatory Powers and of any country on behalf of which accession has been made.

(2) Accessions, if made prior to the date of the coming into force of the Treaty, shall take effect on that date. If made afterwards, they shall take effect immediately.

(3) If accession should be made after the date of the coming into force of the Treaty, the following information shall be given by the acceding Power so as to reach all the other High Contracting Parties within one month after the date of accession:—

(a) The initial Annual Program of construction and declaration of acquisition, as prescribed by Articles 12 (a) and 14 relating to vessels already authorized, but not yet laid down or acquired, belonging to the categories or sub-categories mentioned in Article 12 (a).

(b) A list of the vessels of the above-mentioned categories or sub-categories completed or acquired after the date of the coming into force of the present Treaty, stating particulars of such vessels as specified in Article 12 (b), together with similar particulars relating to any such vessels which have been constructed within the jurisdiction of the acceding Power after the date of the coming into force of the present Treaty, for a Power not a party thereto.

(c) Particulars, as specified in Article 12 (b), of all vessels of the categories or sub-categories above-mentioned which are then under construction for the acceding Power, whether or not such vessels are being constructed within His own jurisdiction, together with similar particulars relating to any such vessels then under construction within His jurisdiction for a Power not a party to the present Treaty.

l'artillerie des bâtiments de ligne dont les programmes annuels futurs prévoieraient la construction, et de parvenir par là, si possible, à une réduction du coût des bâtiments de ligne.

ARTICLE 29

Aucune disposition du présent Traité ne constituera un précédent pour tout traité futur.

ARTICLE 30

1. Le présent Traité sera ratifié par les Puissances signataires selon les procédures constitutionnelles auxquelles elles sont respectivement tenues, et les instruments de ratification en seront déposés le plus tôt possible auprès du Gouvernement de Sa Majesté dans le Royaume-Uni, qui transmettra des expéditions authentiques de tous les procès-verbaux de dépôt des ratifications aux gouvernements desdites Puissances ainsi que de tout pays au nom duquel il aura été accédé au Traité conformément aux dispositions de l'article 31.

2. Le présent Traité entrera en vigueur le 1^{er} janvier 1937 si les instruments de ratification de toutes lesdites Puissances ont été déposés à cette date. Si, au 1^{er} janvier 1937, tous les instruments de ratification sus-mentionnés n'ont pas été déposés, le Traité entrera en vigueur dès que tous ces instruments auront été reçus.

ARTICLE 31

1. A compter de ce jour, le présent Traité sera à tout moment ouvert à l'accession de tout pays au nom duquel le Traité pour la limitation et la réduction des armements navals a été signé à Londres le 22 avril 1930, mais au nom duquel le présent Traité n'a pas été signé. L'instrument d'accession sera déposé auprès du Gouvernement de Sa Majesté dans le Royaume-Uni qui transmettra une expédition authentique des procès-verbaux de dépôt aux gouvernements des Puissances signataires ainsi que de tout autre pays au nom duquel il aura été accédé au traité.

2. Si une accession intervient avant la date d'entrée en vigueur du Traité, elle prendra effet à cette date. Si elle est faite postérieurement à ladite date, elle prendra effet immédiatement.

3. Si une accession intervient après la date d'entrée en vigueur du Traité, les renseignements suivants seront fournis par la Puissance qui accède, à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date d'accession :

(a) Le premier programme annuel de construction et la première déclaration d'acquisition, comme prévu au paragraphe (a) de l'article 12 et à l'article 14, en ce qui concerne les bâtiments des classes et sous-classes mentionnées audit article 12 qui, déjà autorisés, n'ont pas encore été mis sur cale ou acquis.

(b) Une liste des bâtiments des classes et sous-classes susmentionnées, achevés ou acquis après la date d'entrée en vigueur du présent Traité, indiquant les caractéristiques de ces bâtiments, comme spécifié au paragraphe (b) de l'article 12, ainsi que les mêmes caractéristiques concernant de tels bâtiments qui ont été construits dans le ressort de la juridiction de la Puissance qui accède, après la date d'entrée en vigueur du présent Traité, pour le compte d'une Puissance non partie audit Traité.

(c) Les caractéristiques prévues au paragraphe (b) de l'article 12 concernant tous bâtiments des classes et sous-classes susmentionnées, en construction à ce moment pour le compte de la Puissance qui accède, que ces bâtiments soient ou non construits dans le ressort de sa juridiction, ainsi que les mêmes caractéristiques concernant de tels bâtiments en construction à ce moment, dans le ressort de sa juridiction, pour le compte d'une Puissance non partie au présent Traité.

(d) Lists of all minor war vessels and auxiliary vessels with their characteristics and information concerning them, as prescribed by Article 19.

(4) Each of the High Contracting Parties shall reciprocally furnish to the Government of any country on behalf of which accession is made after the date of the coming into force of the present Treaty, the information specified in paragraph (3) above, so as to reach that Government within the period therein mentioned.

(5) Nothing in Part III of the present Treaty shall prevent an acceding Power from laying down or acquiring, at any time during the four months following the date of accession, any vessel included, or to be included, in His initial Annual Program of construction or declaration of acquisition, or previously authorized, provided that the information prescribed by Article 12 (b) concerning each vessel shall be communicated so as to reach all the other High Contracting Parties within one month after the date of accession.

ARTICLE 32

The present Treaty, of which the French and English texts shall both be equally authentic, shall be deposited in the Archives of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland which will transmit certified copies thereof to the Governments of the countries for which the Treaty for the Limitation and Reduction of Naval Armament was signed in London on the 22nd April, 1930.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done in London the 25th day of March, nineteen hundred and thirty-six.

[L.S.] NORMAN H. DAVIS

[L.S.] WILLIAM H. STANDLEY

[L.S.] CHARLES CORBIN

[L.S.] ROBERT G.

[L.S.] ANTHONY EDEN

[L.S.] MONSELL

[L.S.] STANHOPE

[L.S.] VINCENT MASSEY

[L.S.] S. M. BRUCE

[L.S.] C. J. PARR

[L.S.] R. A. BUTLER

(d) Des listes de tous les petits navires de combat et bâtiments auxiliaires avec les caractéristiques et les informations les concernant, comme prévu à l'article 19.

4. A titre de réciprocité, chacune des Hautes Parties Contractantes fournira au Gouvernement de tout pays au nom duquel il aura été accédé au Traité après la date d'entrée en vigueur de celui-ci, les renseignements indiqués au paragraphe (3) ci-dessus, à temps pour qu'il parviennent à ce Gouvernement dans le délai visé audit paragraphe.

5. Aucune disposition de la partie III du présent Traité n'empêchera la Puissance qui accède audit Traité de mettre sur cale ou d'acquérir, à tout moment dans les quatre mois qui suivront la date de son accession, tout bâtiment précédemment autorisé, ou compris, ou à comprendre dans son premier programme annuel de construction ou sa première déclaration d'acquisition, à condition que les renseignements prescrits au paragraphe (b) de l'article 12 soient, pour chaque bâtiment, fournis à temps pour parvenir à toutes les autres Hautes Parties Contractantes dans le mois qui suivra la date de son accession.

ARTICLE 32

Le présent Traité, dont les textes français et anglais feront également foi, sera déposé dans les archives du Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, qui en transmettra des expéditions authentiques aux gouvernements des pays au nom desquels le Traité pour la limitation et la réduction des armements navals a été signé à Londres le 22 avril 1930.

En foi de quoi, les Plénipotentiaires susnommés ont signé le présent Traité et y ont apposé leurs cachets.

Fait à Londres, le 25 mars mil neuf cent trente-six.

[L.S.]	NORMAN H. DAVIS
[L.S.]	WILLIAM H. STANLEY
[L.S.]	CHARLES CORBIN
[L.S.]	ROBERT G.
[L.S.]	ANTHONY EDEN
[L.S.]	MONSELL
[L.S.]	STANHOPE
[L.S.]	VINCENT MASSEY
[L.S.]	S. M. BRUCE
[L.S.]	C. J. PARR
[L.S.]	R. A. BUTLER

PROTOCOL OF SIGNATURE

At the moment of signing the Treaty bearing this day's date, the undersigned, duly authorized to that effect by their respective Governments, have agreed as follows:—

1. If, before the coming into force of the above-mentioned Treaty, the naval construction of any Power, or any change of circumstances, should appear likely to render undesirable the coming into force of the Treaty in its present form, the Powers on behalf of which the Treaty has been signed will consult as to whether it is desirable to modify any of its terms to meet the situation thus presented.

2. In the event of the Treaty not coming into force on the 1st January, 1937, the above-mentioned Powers will, as a temporary measure, promptly communicate to one another, after the laying down, acquisition, or completion of any vessels in the categories or sub-categories mentioned in Article 12 (a) of the Treaty, the information detailed below concerning all such vessels laid down between the 1st January, 1937 and the date of the coming into force of the Treaty, provided, however, that this obligation shall not continue after 1st July, 1937:—

Name or designation;

Classification of the vessel;

Standard displacement in tons and metric tons;

Principal dimensions at standard displacement, namely, length at waterline and extreme beam at or below waterline;

Mean draught at standard displacement;

Calibre of the largest gun.

3. The present Protocol, of which the French and English texts shall both be equally authentic, shall come into force on this day's date. It shall be deposited in the archives of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland which will transmit certified copies thereof to the Governments of the countries for which the Treaty for the Limitation and Reduction of Naval Armament was signed in London on the 22nd April, 1930.

In faith whereof the above-named Plenipotentiaries have signed the present protocol and have affixed thereto their seals.

Done in London the 25th day of March, nineteen hundred and thirty-six.

[L.S.] NORMAN H. DAVIS

[L.S.] WILLIAM H. STANDLEY

[L.S.] CHARLES CORBIN

[L.S.] ROBERT G.

[L.S.] ANTHONY EDEN

[L.S.] MONSELL

[L.S.] STANHOPE

[L.S.] VINCENT MASSEY

[L.S.] S. M. BRUCE

[L.S.] C. J. PARR

[L.S.] R. A. BUTLER

PROTOCOLE DE SIGNATURE

Au moment de signer le Traité qui porte la date de ce jour, les soussignés, dûment autorisés à cet effet par leurs Gouvernements respectifs, sont convenus des dispositions suivantes:

1. Si, avant l'entrée en vigueur du Traité susmentionné, les constructions navales d'une Puissance, ou un changement de circonstances, paraissent de nature à ne pas rendre désirable l'entrée en vigueur du Traité dans sa forme actuelle, les Puissances au nom desquelles le Traité a été signé se consulteront afin de déterminer s'il convient de modifier l'une quelconque de ses dispositions pour faire face à la situation qui se présenterait.

2. Au cas où le Traité n'entrerait pas en vigueur le 1er janvier 1937, et à titre provisoire, les Puissances susmentionnées se communiqueront rapidement, après la mise sur cale, l'acquisition ou l'achèvement de bâtiments des classes et sous-classes mentionnées au paragraphe (a) de l'article 12 du Traité, les renseignements ci-dessous concernant lesdits bâtiments mis sur cale entre le 1er janvier 1937 et la date d'entrée en vigueur du Traité; il est entendu toutefois que cette obligation cessera ses effets après le 1er juillet 1937.

Nom ou appellation.

Classe et sous-classe.

Déplacement type en tonnes et en tonnes métriques.

Dimensions principales correspondant au déplacement type, à savoir:

longueur à la ligne de flottaison,

largeur maxima à ou sous la ligne de flottaison.

Tirant d'eau moyen correspondant au déplacement type.

Calibre du plus gros canon.

3. Le présent Protocole, dont les textes français et anglais feront également foi, entrera en vigueur à la date de ce jour. Il sera déposé dans les archives du Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, qui en transmettra des expéditions authentiques aux Gouvernements des pays au nom desquels le Traité pour la limitation et la réduction des armements navals a été signé à Londres le 22 avril 1930.

En foi de quoi, les Plénipotentiaires susnommés ont signé le présent protocole et y ont apposé leurs cachets.

Fait à Londres, le 25 mars mil neuf cent trente-six.

[L.S.]	NORMAN H. DAVIS
[L.S.]	WILLIAM H. STANLEY
[L.S.]	CHARLES CORBIN
[L.S.]	ROBERT G.
[L.S.]	ANTHONY EDEN
[L.S.]	MONSELL
[L.S.]	STANHOPE
[L.S.]	VINCENT MASSEY
[L.S.]	S. M. BRUCE
[L.S.]	C. J. PARR
[L.S.]	R. A. BUTLER

ADDITIONAL PROTOCOL

The undersigned Plenipotentiaries express the hope that the system of Advance Notification and Exchange of Information will be continued by international agreement after the expiration of the Treaty bearing this day's date, and that it may be possible in any future Treaty to achieve some further measure of reduction in naval armament.

Done in London the 25th day of March, nineteen hundred and thirty-six.

NORMAN H. DAVIS

WILLIAM H. STANDLEY

CHARLES CORBIN

ROBERT G.

ANTHONY EDEN

MONSELL

STANHOPE

VINCENT MASSEY

S. M. BRUCE

C. J. PARR

R. A. BUTLER

PROTOCOLE ADDITIONNEL

Les Plénipotentiaires soussignés expriment l'espoir que le jeu des préavis et des échanges de renseignements se poursuivra par voie d'accord international après l'expiration du Traité portant la date de ce jour, et que, dans tout traité ultérieur, il sera possible de parvenir à de nouvelles réductions dans les armements navals.

Fait à Londres, le 25 mars mil neuf cent trente-six.

[L.S.] NORMAN H. DAVIS
[L.S.] WILLIAM H. STANLEY
[L.S.] CHARLES CORBIN
[L.S.] ROBERT G.
[L.S.] ANTHONY EDEN
[L.S.] MONSELL
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[L.S.] VINCENT MASSEY
[L.S.] S. M. BRUCE
[L.S.] C. J. PARR
[L.S.] R. A. BUTLER

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CANADA

TREATY SERIES, 1937

No. 12

EXCHANGE OF NOTES

(July 30, 1937)

REGARDING

COMMERCIAL RELATIONS

BETWEEN

CANADA

AND

FRANCE



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

Price, 25 cents.

EXCHANGE OF NOTES

(July 30, 1937)

REGARDING

COMMERCIAL RELATIONS

BETWEEN

CANADA

AND

FRANCE



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

EXCHANGE OF NOTES (JULY 30, 1937) REGARDING COMMERCIAL RELATIONS BETWEEN CANADA AND FRANCE

(Translation)

From the French Minister for Foreign Affairs to the Canadian Minister at Paris

MINISTRY FOR FOREIGN AFFAIRS

PARIS, July 30, 1937.

No. 1

SIR,—With reference to the exchange of views which took place between representatives of your Legation and those of competent French Government Departments looking to the settlement of pending questions respecting Franco-Canadian commercial exchanges, I have the honour to inform you that the French Government will grant the following concessions in favour of Canadian trade.

(1) As from the date of publication of this Note, the following Canadian products will be considered as listed on supplementary Schedule A to the Additional Protocol of February 26, 1935, and will enjoy the Minimum Tariff:—

Ex 16 B	Calf Brains
35 quater	Sweetened condensed milk
0136	Artificial carbonate of magnesia
0169	Uranian oxide
Ex 0381	Tellurium
428 bis	Incandescent mantles
Ex 526	Gas and alcohol stoves, enamelled or not
quing D	
Ex 574	Lamp and gas burners and parts
579 bis I	Other aluminium ware

(2) As regards cheese (item 36 of the French Customs Tariff) the quota 1·2 per cent of the total quota which Canada enjoys under the provisions of Schedule E to the Additional Protocol of 26th February 1935, will be increased to 2 per cent.

(3) During the second half of 1937, the following additional or special quotas will be granted to Canada on the following products:—

Ex 158 G	Tomato juice; special quota of 500 quintals
Ex 222	Lead in crude lumps, pigs, bars or slabs, non-argentiferous; 50,000 quintals
Ex 224	Zinc in crude lumps, pigs, bars or slabs; 20,000 quintals
Ex 361 bis	Wireless telegraph and telephone apparatus; 1 quintal
Ex 522	Agricultural machines; traction binders; 500 quintals
Ex 522	Agricultural machines; others; 500 quintals
524 bis G	Wireless telegraph and telephone apparatus not including lamps; 90 quintals
579 bis I	Other manufactures of aluminium; 18 quintals
620 O	Elastic fabrics; 5 quintals
Ex 620 bis A	Manufactures of asbestos, sheets; 40 quintals

Goods listed in the French Customs tariff under items ex 361 bis (wireless lamps) and 524 bis G (wireless apparatus) will be admitted only upon presentation of a quota certificate duly visé by the services of the Canadian Commercial Attaché in Paris.

Quotas provided under items Ex 222, Ex 224, and Ex 522 are supplementary to those already granted by the Additional Protocol of February 26, 1935.

On the other hand the French Government note the following concessions granted by the Canadian Government:—

(1) Liquorice fibres, dried or not, cleaned, cut to dimension, ground or sifted, listed under item 235 of the Canadian Customs Tariff, the rate of the Intermediate Tariff will be decreased from $17\frac{1}{2}$ per cent to 10 per cent ad valorem.

The Intermediate Tariff duty levied on liquorice paste not sweetened listed under item 235a of the Canadian Customs Tariff, is decreased from 15 per cent to $12\frac{1}{2}$ per cent ad valorem.

Finally the Intermediate Tariff duty levied on liquorice in sticks not sweetened, listed under item 235b of the Canadian Customs Tariff, is brought down from 20 per cent to 15 per cent ad valorem.

(2) The Canadian Government agree no longer to avail themselves, while the present Agreement is in force:—

(a) of the provisions of Schedule F to the Additional Protocol of February 26, 1935, as regards the grant of special quotas on electrical heating apparatus (Item 524 bis K of the French Customs Tariff) and on vacuum cleaners (Item Ex 524 bis M of the French Customs Tariff);

(b) of the provisions of Schedule E to the Additional Protocol of February 26, 1935, as regards the grant of quotas referred to in the said Protocol on passenger automobiles (Item Ex 614 ter A of the French Customs Tariff) such renunciation to take effect as from July 1, 1936.

Taking note of the intention expressed by the Canadian Government to modify and consolidate in a broader agreement the present conventional provisions in force between Canada and France, the Governments of France and Canada consider that the said agreement should intervene before March 31, 1938, negotiations to take place either in Paris or Ottawa as the Canadian Government may choose.

During the conversations which just took place in Paris looking to the conclusion of the present exchange of notes the representatives of the Canadian Legation have pointed out that the broader agreement referred to in the preceding paragraph might, among other things, provide for the consolidation of conventional duties now levied on French products imported into Canada.

For the Minister

BARGETON

(Translation)

From the Canadian Minister at Paris to the French Minister for Foreign Affairs

CANADIAN LEGATION

PARIS, July 30, 1937.

No. 50

MONSIEUR LE MINISTRE,—In your Note No. 1 of July 30, 1937, you were good enough to inform me as follows:—

(1) As from the date of publication of this Note the following Canadian products will be considered as listed on supplementary Schedule A to the Additional Protocol of February 26, 1935, and will enjoy the Minimum Tariff:—

Ex 16 B	Calf brains
35 quater	Sweetened condensed milk
0136	Artificial carbonate of magnesia
0169	Uranian oxide
Ex 0381	Tellurium
428 bis	Incandescent mantles
Ex 526	Gas and alcohol stoves, enamelled or not
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Ex 574	Lamp and gas burners and parts
579 bis I	Other aluminium ware

(2) As regards cheese (item 36 of the French Customs Tariff) the quota 1·2 per cent of the total quota which Canada enjoys under the provisions of Schedule E to the Additional Protocol of 26 February 1935, will be increased to 2 per cent.

(3) During the second half of 1937, the following additional or special quotas will be granted to Canada on the following products:—

Ex 158 G	Tomato juice; special quota of 500 quintals
Ex 222	Lead in crude lumps, pigs, bars or slabs, non-argentiferous; 50,000 quintals
Ex 224	Zinc in crude lumps, pigs, bars or slabs; 20,000 quintals
Ex 361 bis	Wireless telegraph and telephone apparatus; 1 quintal
Ex 522	Agricultural machines, traction binders; 500 quintals
Ex 522	Agricultural machines, others; 500 quintals.
524 bis G	Wireless telegraph and telephone apparatus not including lamps; 90 quintals
579 bis I	Other manufactures of aluminium; 18 quintals
620 O	Elastic fabrics; 5 quintals
Ex 620 bis A	Manufactures of asbestos, sheets; 40 quintals

Goods listed on the French Customs Tariff under items ex 361 bis (wireless lamps) and 524 bis G (wireless apparatus) will be admitted only upon presentation of a quota certificate duly visé by the services of the Canadian Commercial Attaché in Paris.

Quotas provided under items Ex 222, Ex 224 and Ex 522 are supplementary to those already granted by the Additional Protocol of February 26, 1935.

On the other hand the French Government note the following concessions granted by the Canadian Government:—

(1) Liquorice fibres, dried or not, cleaned, cut to dimension, ground or sifted, listed under item 235 of the Canadian Customs Tariff, the rate of the Intermediate Tariff will be decreased from 17½ per cent to 10 per cent ad valorem.

The Intermediate Tariff duty levied on liquorice paste not sweetened listed under item 235a of the Canadian Customs Tariff, is decreased from 15 per cent to 12½ per cent ad valorem.

Finally the Intermediate Tariff duty levied on liquorice in sticks, not sweetened, listed under item 235b of the Canadian Customs Tariff, is brought down from 20 per cent to 15 per cent ad valorem.

(2) The Canadian Government agree no longer to avail themselves, while the present Agreement is in force:—

(a) of the provisions of Schedule F to the Additional Protocol of February 26, 1935, as regards the grant of special quotas on electrical heating apparatus (item 524 bis K of the French Customs Tariff) and on vacuum cleaners (item Ex 524 bis M of the French Customs Tariff);

(b) of the provisions of Schedule E to the Additional Protocol of February 26, 1935, as regards the grant of quotas referred to in the said Protocol on passenger automobiles (item Ex 614 ter A of the French Customs Tariff), such renunciation to take effect as from July 1, 1936.

Taking note of the intention expressed by the Canadian Government to modify and consolidate in a broader agreement the present conventional provisions in force between Canada and France, the Governments of France and Canada consider that the said agreement should come into force before March 31, 1938, negotiations to take place either in Paris or Ottawa as the Canadian Government may choose.

During the conversations which just took place in Paris looking to the conclusion of the present exchange of notes the representatives of the Canadian Legation have pointed out that the broader agreement referred to in the preceding paragraph might, among other things, provide for the consolidation of conventional duties now levied on French products imported into Canada.

I have the honour to inform you that the text of the Note referred to above meets with the approval of the Canadian Government.

Accept, Sir, the assurances of my highest consideration.

PHILIPPE ROY

Dr. Doc
Can
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CANADA

TREATY SERIES, 1937

No. 13

CONVENTION

BETWEEN

CANADA

AND THE

UNITED STATES OF AMERICA

CONCERNING

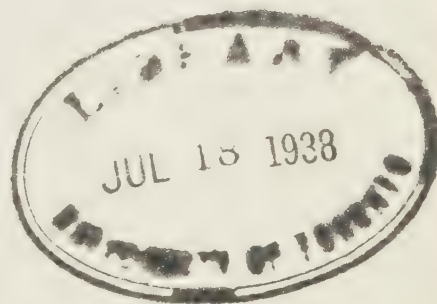
RATES OF INCOME TAX

IMPOSED UPON

NON-RESIDENT INDIVIDUALS AND
CORPORATIONS

Signed at Washington, December 30, 1936

IN FORCE AUGUST 13, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

Price, 25 cents.

CONVENTION
BETWEEN
CANADA
AND THE
UNITED STATES OF AMERICA
CONCERNING
RATES OF INCOME TAX
IMPOSED UPON
NON-RESIDENT INDIVIDUALS AND CORPORATIONS

Signed at Washington, December 30, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

**CONVENTION BETWEEN CANADA AND THE UNITED STATES OF
AMERICA CONCERNING RATES OF INCOME TAX IMPOSED
UPON NON-RESIDENT INDIVIDUALS AND CORPORATIONS.
SIGNED AT WASHINGTON, DECEMBER 30, 1936.**

The Government of Canada and the Government of the United States of America, being desirous of concluding a reciprocal convention concerning rates of income tax imposed upon non-resident individuals and corporations, have agreed as follows:

ARTICLE I

The High Contracting Parties mutually agree that the income taxation imposed in the two States shall be subject to the following reciprocal provisions:

- (a) The rate of income tax imposed by one of the Contracting States, in respect of income derived from sources therein, upon individuals residing in the other State, who are not engaged in trade or business in the taxing State and have no office or place of business therein, shall not exceed five per centum for each taxable year, so long as an equivalent or lower rate of income taxation is imposed by the other State upon individuals residing in the former State who are not engaged in trade or business in such other State and do not have an office or place of business therein.
- (b) The rate of income tax imposed by one of the Contracting States, in respect of dividends derived from sources therein, upon non-resident foreign corporations organized under the laws of the other State, which are not engaged in trade or business in the taxing State and have no office or place of business therein, shall not exceed five per centum for each taxable year, so long as an equivalent or lower rate of income taxation on dividends is imposed by the other State upon corporations organized under the laws of the former State which are not engaged in trade or business in such other State and do not have an office or place of business therein.
- (c) Either State shall be at liberty to increase the rate of taxation prescribed by paragraphs (a) and (b) of this article, and in such case the other State shall be released from the requirements of the said paragraphs (a) and (b).
- (d) Effect shall be given to the foregoing provisions by both States as and from the first day of January, nineteen hundred and thirty-six.

ARTICLE II

The provisions of this Convention shall not apply to citizens of the United States of America domiciled or resident in Canada.

ARTICLE III

This Convention shall be ratified and shall take effect immediately upon the exchange of ratifications which shall take place at Washington as soon as possible.

Signed, in duplicate, at Washington by the duly authorized representatives of Canada and the United States of America, this thirtieth day of December, in the year of our Lord, one thousand nine hundred and thirty-six.

For Canada:

(L.S.) HERBERT M. MARLER
*Envoy Extraordinary and Minister
 Plenipotentiary*

For the United States of America:

(L.S.) R. WALTON MOORE
Acting Secretary of State

Gov. Doc
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CANADA
—
TREATY SERIES, 1937
No. 14

TRADE AGREEMENT

BETWEEN

CANADA

AND THE

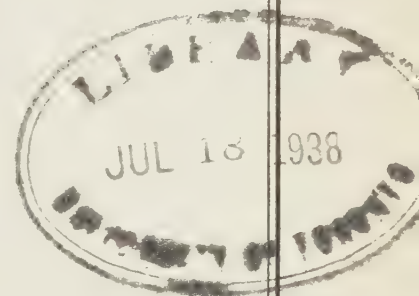
UNITED KINGDOM

Signed at Ottawa, February 23rd, 1937
(WITH CONNECTED PAPERS)

—
IN FORCE SEPTEMBER 1st, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938



Price, 25 cents.

TRADE AGREEMENT

BETWEEN

CANADA

AND THE

UNITED KINGDOM

Signed at Ottawa, February 23rd, 1937

AND CONNECTED PAPERS



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1937

TRADE AGREEMENT BETWEEN CANADA AND THE UNITED KINGDOM SIGNED AT OTTAWA, FEBRUARY 23rd, 1937

The Governments of Canada and of the United Kingdom, recognizing that the revival and development of trade is an essential feature of the prosperity and well-being of all countries and to this end desiring further to facilitate trade and commerce between Canada and the United Kingdom, and having resolved to replace by the present Agreement the Agreement concluded between them at Ottawa on the 20th August, 1932, have agreed upon the following provisions:—

ARTICLE 1

The Government of the United Kingdom undertake that goods grown, produced or manufactured in Canada and consigned from any part of the British Empire which are now free of duty, shall continue to enjoy entry free of customs duty into the United Kingdom, subject, however, to the reservations set forth in Schedule I appended hereto.

ARTICLE 2

The Government of the United Kingdom undertake that the goods the manufacture of Canada enumerated in Schedule II appended hereto when consigned from any part of the British Empire shall not on importation into the United Kingdom be subjected to duties of customs higher than those specified in that Schedule.

ARTICLE 3

The Government of the United Kingdom undertake in respect of the goods the growth, produce or manufacture of Canada enumerated in Schedule III appended hereto that the difference between the rate of the duties of customs on such goods on importation into the United Kingdom when consigned from any part of the British Empire and the rate upon similar goods the growth, produce or manufacture of any foreign country shall not be less than the rates set out in that Schedule:

Provided that the duty on either wheat in grain, copper, zinc or lead, as provided in this Agreement, may be removed if at any time Empire producers of wheat in grain, copper, zinc or lead respectively are unable or unwilling to offer these commodities on first sale in the United Kingdom at prices not exceeding the world prices and in quantities sufficient to supply the requirements of United Kingdom consumers; and,

Provided further that while the arrangements contained in the Report of the Import Duties Advisory Committee of the 2nd July, 1935, are in force, the duties on lead and zinc shall be in accord with the proposals in Appendices B and C of that Report.

ARTICLE 4

The Government of the United Kingdom undertake that until the 19th August, 1942, tobacco grown, produced or manufactured in Canada and consigned from any part of the British Empire shall enjoy on importation into the

United Kingdom the existing margin of preference over foreign tobacco, so long, however, as the duty on foreign unmanufactured tobacco does not fall below 2s. 0½*d.* per lb., in which event the margin of preference shall be equal to the full duty.

ARTICLE 5

The Government of Canada, recognizing that it is the present policy of the Government of the United Kingdom to promote the orderly marketing of bacon and hams and of meat in the United Kingdom with due regard to the normal development of trade, declare their willingness so far as their power extends to continue to assist the Government of the United Kingdom in carrying out this policy and, in particular, to furnish from time to time estimates of forthcoming shipments of bacon and hams and cattle and beef.

As regards bacon and hams, the Government of the United Kingdom undertake:

(1) that any duty or levy which may be imposed on bacon and hams imported into the United Kingdom shall not apply to imports of Canadian bacon and hams when consigned from any part of the British Empire;

(2) that there will be no regulation by them of such imports unless the rate at which the trade from Canada progresses towards two and one-half million hundred-weight per annum should become abnormal and such as to endanger the effective working of the system of supply regulation;

(3) that no such regulation would be put into effect without prior consultation with the Government of Canada.

As regards cattle and beef, the Government of the United Kingdom undertake:

(1) that any duty or levy which may be imposed on cattle or beef imported into the United Kingdom shall not apply to imports of Canadian cattle or beef when consigned from any part of the British Empire;

(2) that, if so requested, they will make themselves responsible for Canadian interests in any International Conference that may be set up to arrange for regulating supplies imported into the United Kingdom and will use their best endeavours to ensure that Canada secures an equitable share in the trade in cattle and beef;

(3) that any Agreement for the setting up of such a Conference, to which they may become a party, will not provide for any reduction in imports of Canadian fat cattle and beef into the United Kingdom below recent levels;

(4) that any such Agreement will recognize that special provision may become necessary for increased shipments of fat cattle and beef from Canada and will provide for specified reductions, if necessary, in shipments of chilled beef from foreign countries;

(5) that there will be no regulation of imports of cattle or beef from Canada unless, after consultation with the Government of Canada, it

appears to the Government of the United Kingdom that the effective working of a general scheme for the orderly marketing in the United Kingdom of meat cannot otherwise be secured.

ARTICLE 6

The Government of Canada undertake that the goods the growth, produce or manufacture of the United Kingdom enumerated in Schedule IV appended hereto, when conveyed without transshipment from any part of the British Empire enjoying the benefits of the British Preferential Tariff into a sea, lake or river port of Canada, shall not be subjected to duties of customs higher than those specified in that Schedule.

The Government of Canada undertake as regards goods the growth, produce or manufacture of the United Kingdom other than those enumerated in Schedule IV that, under the British Preferential Tariff, no new protective duty shall be imposed and no existing protective duty increased except after an inquiry at which United Kingdom producers shall enjoy full rights of audience.

ARTICLE 7

The Government of Canada undertake that goods the growth, produce or manufacture of the United Kingdom enumerated in Schedule IV, when not of a class or kind made in Canada and when subject to duties of customs on importation into Canada, shall, when conveyed without transshipment from any part of the British Empire enjoying the benefits of the British Preferential Tariff into a sea, lake or river port of Canada, enjoy the benefit of preferential tariff margins which, in the case of any such goods, shall not be less than the difference between the rate of duty provided for in this Agreement and the rate of duty now levied upon like goods the growth, produce or manufacture of any foreign country, provided however that, if the duty on foreign goods becomes less than such preferential tariff margin, no duty shall be levied on the like goods of United Kingdom origin.

ARTICLE 8

The Government of Canada undertake in respect of the goods the growth, produce or manufacture of the United Kingdom enumerated in Schedule V appended hereto that the difference between the rates of duties of customs on such goods on importation into Canada, when conveyed without transshipment from any part of the British Empire enjoying the benefits of the British Preferential Tariff into a sea, lake or river port of Canada, and the rates upon similar goods the growth, produce or manufacture of any foreign country shall not be less than the margins set out in that Schedule.

ARTICLE 9

The two Governments undertake that, except as provided for in legislation already in force, goods the growth, produce or manufacture of either country covered by the provisions of Articles 1 and 2, or of the first paragraph of Article 6, as the case may be, shall not be subjected on importation into the other

country to any imposts or charges other than the customs duties leviable in accordance with the provisions of the said Articles unless equal imposts or charges are imposed on similar goods the growth, produce or manufacture of the importing country.

ARTICLE 10

Each Government reserve the right to suspend or modify the preferential margin specified in respect of any item in Schedule III or Schedule V, as the case may be, if, after inquiry, it appears to that Government that a predominating share of the trade in such item is controlled by any organization or combine of exporters and that by virtue of the guaranteed margin that organization or combine is exercising this control to the prejudice of consumers or users of the goods in question.

ARTICLE 11

Neither Government will, without the consent of the other Government, amend their regulations regarding qualification for preferential tariff treatment so as to increase above fifty per centum the prescribed proportion of the value of any class of manufactured articles which must be derived from expenditure in the British Empire in order to entitle the articles to preference.

ARTICLE 12

The Government of Canada, recognizing that the entry of Canadian goods into the United Kingdom market free of duty, as assured in Article 1 of this Agreement and, in particular, their exemption from liability to any special or dumping duty, even if sold in that market at less than their comparable selling price in Canada, warrant more nearly reciprocal treatment of United Kingdom goods offered for sale in similar circumstances in Canada, agree to exempt particular classes of United Kingdom goods from special or dumping duty under the conditions set out in the following paragraphs.

If it appears to the Government of the United Kingdom that any goods enjoying entry free of duty into the United Kingdom under the provisions of Article 1 of this Agreement are exported from Canada to the United Kingdom at export or selling prices lower than the fair market value for home consumption, as determined on the bases laid down in Section 6 of the Customs Tariff of Canada, and that in consequence thereof the sale of similar United Kingdom goods is being prejudicially or injuriously affected, they may notify the Government of Canada of the facts of the case and request that United Kingdom goods of each or any class or kind normally manufactured by the Canadian industry manufacturing the goods in question shall be exempt from special or dumping duty on importation into Canada.

On receipt of such notification and request the Government of Canada will take suitable steps to correct the situation complained of and, if other measures are ineffectual, will exempt United Kingdom goods, as specified in the notification, from special or dumping duty for such period as may prove necessary. Recognizing that in certain circumstances it may be found necessary to exempt from special or dumping duty other United Kingdom goods of a class or kind normally manufactured by the Canadian industry manufacturing the

goods in question, the Government of Canada agree that they will accord sympathetic consideration to any request that the United Kingdom Government may make under this Article for such exemption and will, in consultation with the United Kingdom Government, determine what measures shall be taken to restore fair trading conditions.

ARTICLE 13

The Government of the United Kingdom will invite the Governments of the non-self-governing Colonies and Protectorates to continue to accord to Canada any preference which may for the time being be accorded to any other part of the British Empire:

Provided that the operation of this paragraph shall not extend to any preferences accorded by Northern Rhodesia to the Union of South Africa, Southern Rhodesia and the High Commission Territories in South Africa.

The Government of Canada undertake to accord to those non-self-governing Colonies, Protectorates and Mandated Territories, to which the benefits of the British Preferential Tariff are at present accorded, and also to Malta, the benefit of any preferences for the time being accorded to any part of the British Empire:

Provided that nothing in this paragraph shall interfere with existing obligations or special arrangements already in force between Canada and other parts of the British Empire; and,

Provided further that the Government of Canada shall not be bound to continue to accord any preferences to any Colony or Protectorate which, not being precluded by international obligations from according preferences, either (i) accords to Canada no preferences, or (ii) accords to some other part of the British Empire (in the case of Northern Rhodesia, excepting the Union of South Africa, Southern Rhodesia and the High Commission Territories in South Africa) preferences not accorded to Canada.

ARTICLE 14

The Government of Canada undertake to accord to goods the growth, produce or manufacture of any of the non-self-governing Colonies, Protectorates or Mandated Territories of Togoland under British Mandate, the Cameroons under British Mandate, the Tanganyika Territory or Palestine, treatment not less favourable than that accorded to similar goods the growth, produce or manufacture of any foreign country.

ARTICLE 15

The Government of the United Kingdom will invite the Governments of the Colonies and Protectorates shown in Schedule VI appended hereto to continue in operation the preferences accorded to Canada on the commodities and at the rates shown in that Schedule, and the Government of Canada will continue in operation the preferences accorded to the Colonies, Protectorates and Mandated Territories by Canada as set out in Schedule VII appended hereto:

Provided that the Government of Canada shall not be bound to continue to accord any preferences to any Colony or Protectorate which, not being precluded by international obligations from according preferences,

either (i) accords to Canada no preferences, or (ii) accords to some other part of the British Empire (in the case of Northern Rhodesia, excepting the Union of South Africa, Southern Rhodesia and the High Commission Territories in South Africa) preferences not accorded to Canada; and,

Provided further that, in the event of the denunciation and termination of the Canada-West Indies Trade Agreement dated the 6th July, 1925, either Government shall be at liberty, on giving at least six months' notice, to terminate the provisions of this Article not earlier than the termination of that Agreement.

ARTICLE 16

In the event of circumstances arising which in the judgment of the Government of the United Kingdom or of the Government of Canada, as the case may be, necessitate a variation in the terms of this Agreement, the proposal to vary those terms shall be the subject of consultation between the two Governments.

ARTICLE 17

The Agreement will come into force on a date to be mutually agreed between the two Governments. On the coming into force of the present Agreement, the Agreement concluded between the two Governments at Ottawa on the 20th August, 1932, shall cease to have effect. Pending the coming into force of the present Agreement, the two Governments will apply its provisions as far as may be possible and will consult together with regard to the dates on which particular provisions of the 1932 Agreement shall be deemed to have been replaced by provisions of the present Agreement. The Agreement will remain in force until the 20th August, 1940. Unless six months before the 20th August, 1940, notice of termination shall have been given by either Government to the other, the Agreement will remain in force until the expiry of six months from the date on which a notice of termination is given.

Done in duplicate, at Ottawa, this twenty-third day of February, 1937.

Signed on behalf of the Government of Canada:—

W. L. MACKENZIE KING
CHAS. A. DUNNING

Signed on behalf of the Government of the United Kingdom:—

F. L. C. FLOUD

SCHEDULE I

(See Article 1)

As regards eggs, poultry, butter, cheese and other milk products, the Government of the United Kingdom reserve to themselves the right, if they consider it necessary in the interests of the United Kingdom producer to do so, to review at any time the basis of preference so far as relates to the articles above enumerated and after notifying the Canadian Government either to impose a preferential duty on Canadian produce whilst maintaining preferential margins, or in consultation with the Canadian Government to bring such produce within any system which may be put into operation for the quantitative regulation of supplies from all sources in the United Kingdom market.

SCHEDULE II

(See Article 2)

Article	Rate of Duty
Motor cars (including motor bicycles and motor tricycles) and accessories and component parts of motor cars, motor bicycles and motor tricycles.....	22 $\frac{3}{4}$ per cent. <i>ad valorem</i>
Stockings and socks of natural silk or where the value of the natural silk component exceeds 20 per cent. of the aggregate of the values of all the components of the article.....	28 $\frac{3}{4}$ per cent. <i>ad valorem</i> , or 8s. per lb., which- ever is the greater.
Reed Organs (including harmoniums) complete.....	Free.

SCHEDULE III

(See Article 3)

Article	Margin of Preference
Wheat, in grain.....	2s. per quarter.
Butter.....	15s. per cwt.
Cheese.....	15 per cent. <i>ad valorem</i> .
Apples, raw (excluding apples consigned direct to a registered cider manufacturer for use in making cider).....	4s. 6d. per cwt.
Pears, raw.....	4s. 6d. per cwt.
Apples, canned.....	3s. 6d. per cwt., in addition to the difference in the rates of duty in respect of sugar content.
Eggs in shell—	
(a) Not exceeding 14 lbs. in weight per great hundred.....	1s. per great hundred.
(b) Over 14 lbs. but not exceeding 17 lbs.....	1s. 6d. per great hundred.
(c) Over 17 lbs.....	1s. 9d. per great hundred.
Condensed milk, whole, sweetened or slightly sweetened.....	5s. per cwt., in addition to the difference in the rates of duty in respect of sugar content.
Condensed milk, whole, not sweetened.....	6s. per cwt.
Milk powder and other preserved milk excluding condensed milk, not sweetened.....	6s. per cwt.
Honey.....	7s. per cwt.
Copper, unwrought, whether refined or not, in ingots, bars, blocks, slabs, cakes and rods.....	2d. per lb.
Timber of all kinds imported into the United Kingdom in substantial quantities from Canada, in so far as now dutiable.....	10 per cent. <i>ad valorem</i> .
Fish, fresh sea, excluding fish livers.....	10 per cent. <i>ad valorem</i> .
Chilled or frozen salmon.....	1 $\frac{1}{2}$ d. per lb.
Salmon, canned.....	10 per cent. <i>ad valorem</i> .
Other fish, canned.....	10 per cent. <i>ad valorem</i> .
Asbestos.....	10 per cent. <i>ad valorem</i> .
Zinc.....	10 per cent. <i>ad valorem</i> .
Lead.....	10 per cent. <i>ad valorem</i> .
Patent leather not forming part of another article and goods composed wholly of patent leather.....	15 per cent. <i>ad valorem</i> .

SCHEDULE IV

(See Article 6)

NOTE.—The rates of duty set out below will be subject to discounts in accordance with the provisions of Section 5 of the Customs Tariff.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
ex 8	Extracts of meat and fluid beef, not medicated.....	10 p.c.
20a	Butter produced from the cocoa bean.....	Free
23	Preparations of cocoa or chocolate, n.o.p., and confectionery, coated with or containing chocolate, the weight of the wrappings and cartons to be included in the weight for duty..... and per pound	12½ p.c. 2½ cts.
34	Mustard, ground.....	17½ p.c.
41	Salt, n.o.p., in bags, barrels and other coverings.....	Free
	Bags, barrels and other usual coverings used in the importation of the salt specified in this item.....	Free
65	Biscuits, not sweetened.....	12½ p.c.
65a	Diabetic breads and biscuits, under regulations prescribed by the Minister...	Free
66a	Biscuits, sweetened or unsweetened, valued at not less than 20 cents per pound wholesale, f.o.b. any port in the United Kingdom, said value to be based on the net weight and to include the value of the usual retail package....	Free
ex 82	(d) Rosebushes, n.o.p.....each	1½ cts.
ex 90	Vegetables, prepared or preserved:— (b) Pickled or preserved in salt, brine, oil or in any other manner, n.o.p..	15 p.c.
105d	Jellies, jams, marmalades, preserves, fruit butters and condensed mince meats.....per pound.	2 cts.
105e	Fruits and peels, crystallized, glacé, candied or drained; cherries and other fruits of crème de menthe, maraschino or other flavour.....	20 p.c.
ex 120	Herring (not including kippered herring in sealed containers) packed in oil or otherwise, in sealed containers.....	20 p.c.
123	Salmon and all other fish, prepared or preserved, including oysters, n.o.p....	17½ p.c.
141	Sugar candy and confectionery, n.o.p., including sweetened gums, candied pop-corn, candied nuts, flavouring powders, custard powders, jelly powders, sweet-meats, sweetened breads, cakes, pies, puddings and all other confections containing sugar, the weight of the wrappings and cartons to be included in the weight for duty.....per pound and	½ ct. 15 p.c.
143a	Cigarettes, the weight of the paper covering to be included in the weight for duty.....per pound	\$3.50
144	Cut tobacco.....per pound	80 cts.
145	Manufactured tobacco, n.o.p., and snuff.....per pound	75 cts.
147	Ale, beer, porter and stout, when imported in bottles.....per gallon Provided, that six quart bottles or twelve pint bottles shall be held to contain one gallon.	15 cts.
152	Lime juice, fruit syrups and fruit juices, n.o.p.....	15 p.c.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
156	Ethyl alcohol, or the substance commonly known as alcohol, hydrated oxide of ethyl or spirits of wine, n.o.p.; gin of all kinds, n.o.p.; whisky and all spirituous or alcoholic liquors, n.o.p.; amyl alcohol or fusel oil, or any substance known as potato spirits or potato oil; methyl alcohol, wood alcohol, wood naphtha, pyroxylic spirit or any substance known as wood spirit or methylated spirits, absinthe, arrack or palm spirit, brandy, including artificial brandy and imitations of brandy, n.o.p.; cordials and liqueurs of all kinds, n.o.p.; mescal, pulque, rum shrub, schiedam and other schnapps; tafia, angostura and similar alcoholic bitters or beverages; and wines, n.o.p., containing more than forty per cent of proof spirit, per gallon of the strength of proof..... Provided, as to all goods specified in Item No. 156 when of less strength than the strength of proof, that no reduction or allowance shall be made in the measurement thereof for duty purposes, below the strength of 15 per cent under proof.	\$5.00
159	Spirits and strong waters of any kind, mixed with any ingredient or ingredients, as being or known or designated as essences, extracts, or ethereal and spirituous fruit essences, n.o.p..... per gallon	\$5.00 and 30 p.c.
160	Alcoholic perfumes and perfumed spirits, bay rum, cologne and lavender waters, lotions, hair, tooth and skin washes, and other toilet preparations containing spirits of any kind:— (a) when in bottles or flasks containing not more than four ounces each.... (b) when in bottles, flasks or other packages, containing more than four ounces each..... per gallon	30 p.c. \$5.00
168	Malt flour containing less than 50 per centum in weight of malt; malt syrup or malt syrup powder; extracts of malt, fluid or not; grain molasses—all articles in this item upon valuation without British or foreign excise duties, under regulations prescribed by the Minister.....	25 p.c.
169	Books, viz:—Novels or works of fiction, or literature of a similar character, unbound or paper bound or in sheets, but not to include Christmas annuals, or publications commonly known as juvenile and toy books.....	Free.
171	Books, printed, periodicals and pamphlets, or parts thereof, n.o.p., not to include blank account books, copy books, or books to be written or drawn upon.....	Free.
178 } 178c }	Advertising and printed matter, viz:—Advertising pamphlets, advertising show cards, illustrated advertising periodicals; price books, catalogues and price lists; advertising almanacs and calendars; patent medicine or other advertising circulars, fly sheets or pamphlets; advertising chromos, chromotypes, oleographs or like work produced by any process other than hand painting or drawing, and having any advertisement or advertising matter printed, lithographed or stamped thereon, or attached thereto, including advertising bills, folders and posters, or other similar artistic work, lithographed, printed or stamped on paper or cardboard for business or advertisement purposes, n.o.p.:— (i) when produced in countries entitled to the British Preferential Tariff and relating exclusively to products of such British countries, but not relating to Canadian products..... (ii) n.o.p..... per pound	Free. 5 cts.
180	Photographs, chromos, chromotypes, artotypes, oleographs, paintings, drawings, pictures, decalcomania transfers of all kinds, n.o.p., engravings or prints or proofs therefrom, and similar works of art, n.o.p.; blue prints, building plans, maps, and charts, n.o.p.....	12½ p.c.
180c	Decalcomania transfers, when imported exclusively for use in the manufacture of vitreous enamelled products or of tableware of china, porcelain or semi-porcelain.....	Free.
181a	Pictorial post-cards, greeting cards and similar artistic cards or folders.....	20 p.c.
187	Albumenized and other papers and films chemically prepared for photographers' use, n.o.p.....	Free.
187a	Hypersensitive or supersensitive panchromatic films and infra-red films, unexposed, for aerial photography.....	Free.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
ex 192	Electrical insulating pressboard, not less than .040 inch in thickness.....	Free.
192b	Sandpaper, glass or flint paper, and emery paper or emery cloth.....	12½ p.c.
192c	Roofing and shingles of saturated felt.....	Free.
193	Paper sacks or bags of all kinds, printed or not.....	15 p.c.
194	Playing cards, in packs or in sheet form, n.o.p.; cards and sheets partly lithographed or printed, for use in the manufacture of such playing cards....	15 p.c.
195	Paper hanging or wall papers, including borders or bordering.....	17½ p.c.
ex 197 } ex 199 }	Hand made papers, not to include mould-made deckle-edge papers, valued at not less than 40 cents per pound wholesale.....	10 p.c.
197b	Wrapping paper of all kinds, not pasted, coated or embossed.....	17½ p.c.
198	Ruled and border and coated papers, boxed papers, pads not printed, papier-mâché ware, n.o.p.....	20 p.c.
199	Papeteries, envelopes, and all manufactures of paper, n.o.p.....	20 p.c.
199c	Waxed stencil paper for use on duplicating machines.....	10 p.c.
200a	Regenerated cellulose, and cellulose acetate, transparent, in sheets, not printed, and manufactures of regenerated cellulose or of cellulose acetate, n.o.p...	20 p.c.
203a	Chemical compounds composed of two or more acids or salts soluble in water, adapted for dyeing or tanning.....	Free
203b	Aniline and coal tar dyes, adapted for dyeing, in bulk, or in packages of not less than one pound.....	Free
206a	Biological products, animal or vegetable, n.o.p., for parenteral administration in the diagnosis or treatment of diseases of man, when manufactured under licence of the Department of Pensions and National Health under regulations prescribed by the Food and Drugs Act; and biological products, animal or vegetable, n.o.p., for parenteral administration in the diagnosis or treatment of diseases of animals or poultry, when imported under permit of the Veterinary Director General.....	Free
ex 208a	Chloride of lime and hypochlorite of lime:— 1. When in packages of not less than twenty-five pounds weight each....	Free
208e	Cresylic acid and compounds of cresylic acid, used in the process of concentrating ores, metals or minerals, n.o.p.....	Free
208j	Sal ammoniac and nitrate of ammonia.....	Free
208l	Bichloride of tin and tin crystals.....	Free
208m	Sulphate of copper (blue vitriol).....	Free
208n	Sulphate of iron (copperas).....	Free
208o	Cream of tartar in crystals and tartaric acid crystals.....	Free
208r	Oxide of tin or of copper.....	Free
208s	Sulphate of zinc and chloride of zinc.....	Free
208t	All chemicals and drugs, when of a kind not produced in Canada, which were on August 20, 1932, dutiable at rates of 15, 25, and 25 p.c., under Tariff Item 711.....	Free
209c	Bichromate of potash, crude; red and yellow prussiate of potash.....	Free
210	Peroxide of soda; silicate of soda in crystals or in solution; bichromate of soda; nitrate of soda or cubic nitre, n.o.p.; sulphide of sodium; nitrite of soda; arseniate, binarseniate, chlorate, bisulphite and stannate of soda; prussiate of soda and sulphite of soda.....	Free

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
210d	Sodium, sulphate of, crude, or salt cake.....per pound	$\frac{1}{2}$ ct.
212	Sulphate of alumina or alum cake; and alum in bulk, ground or unground, but not calcined.....	Free
215	Stearic acid, n.o.p.....	Free
216	Acids, n.o.p., of a kind not produced in Canada.....	Free
218	Acid phosphate, not medicinal.....	Free
219	(i) Solutions of peroxides of hydrogen, n.o.p.....	12 $\frac{1}{2}$ p.c.
	(ii) Solutions of hydrogen peroxide containing 25 per centum or more by weight of hydrogen peroxide.....	Free
219c	Non-alcoholic preparations or chemicals, such as are used for disinfecting, dipping or spraying, when in packages not exceeding three pounds each, in weight, the weight of such packages to be included in the weight for duty.....	5 p.c.
219d	Sulphuric ether; chloroform, n.o.p.; preparations of vinyl ether for anaesthetic purposes.....	Free
ex 220	All medicinal, chemical and pharmaceutical preparations, compounded of more than one substance, including patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences and oils, n.o.p.:— (a) When dry..... (b) Liquid, when containing not more than two and one-half per centum of proof spirit.....	17 $\frac{1}{2}$ p.c. 20 p.c.
228	Soap powders, powdered soap, mineral soap, and soap, n.o.p.....	20 p.c.
229	Soap, common or laundry.....per one hundred pounds	50 cts.
230	Castile soap.....	Free
232	Glue, liquid, powdered or sheet, and gelatine, n.o.p..... and per pound	17 $\frac{1}{2}$ p.c. 2 cts.
232c	Gelatine, edible.....	10 p.c.
ex 232d	Mucilage and adhesive paste..... and per pound	15 p.c. 1 $\frac{1}{2}$ cts.
234	Perfumery, including toilet preparations, non-alcoholic, viz., hair oils, tooth and other powders and washes, pomatums, pastes and all other perfumed preparations, n.o.p., used for the hair, mouth or skin.....	15 p.c.
236	Surgical dressings, antiseptic or aseptic, including absorbent cotton, lint, lamb's wool, tow, jute, oakum, woven fabric of cotton weighing not more than seven and one-half pounds per one hundred square yards, whether imported singly or in combination one with another, but not stitched or otherwise manufactured; surgical trusses and suspensory bandages of all kinds; sanitary napkins, spinal braces and abdominal supports.....	10 p.c.
238a	Manufactures of celluloid, or of which celluloid is the component of chief value, n.o.p.....	10 p.c.
240	Ultramarine blue, dry or in pulp; whiting or whitening; Paris white and gilders' whiting; blanc fixé; satin white.....	Free
241a	Litharge, other than for battery purposes.....	Free
242	Dry red lead; orange mineral; antimony oxide, titanium oxide, and zinc oxide such as zinc white and lithopone; white pigments containing not less than 14 per cent by weight of titanium dioxide.....	Free
243	Dry white lead.....	15 p.c.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
244	White lead ground in oil.....	20 p.c.
245	Ochres, ochrey earths, siennas and umbers.....	5 p.c.
246	Oxides, fireproofs, rough stuff, fillers, laundry blueing, and colours, dry, n.o.p.....	12½ p.c.
246b	Stains and oxides, valued at not less than 20 cents per pound, for use exclusively as colouring constituents in the manufacture of vitreous enamels and pottery glazes; and liquid gold paint, for use exclusively in the manufacture of tableware of china, porcelain or semi-porcelain.....	Free
247	Liquid fillers, anti-corrosive and anti-fouling paints, and ground and liquid paints, n.o.p.....	17½ p.c.
ex 247 } 247a }	Artists' and school children's colours; fitted boxes containing the same; artists' brushes; pastels, of a value of one cent per stick, or over; artists' canvas, coated and prepared for oil painting.....	Free
248	Paints and colours, ground in spirits, and all spirit varnishes and lac- quers.....per gallon	75 cts.
249	Varnishes, lacquers, japans, japan driers, liquid driers, and oil finish, n.o.p.....per gallon and	15 cts. 10 p.c.
250	Paris green, dry.....	Free
252	Shoe blacking; shoemakers' ink; shoe, harness and leather dressing, and knife or other polish or composition, n.o.p.....	12½ p.c.
254	Gums, viz:—Australian, copal, damar, elemi, kaurie, mastic, sandarac, Senegal, tragacanth, gedda, and barberry; gum chicle or sappato gum, crude; lac, crude, seed, button, stick and shell; ambergris; Pontianac..	Free
256	Printing ink.....	12½ p.c.
259a	Sesame seed oil, crude.....	Free
264	Essential oils, n.o.p., including bay oil, otto of limes, and peppermint oil...	Free
ex 265a	Halibut liver oil, crude or refined.....	Free
265b	Cod liver oil, crude or refined.....	Free
276b	Cotton seed and crude cotton seed oil, when imported by manufacturers of cotton seed meal and refined cotton seed oil, for use exclusively in the manufacture of such commodities, in their own factories.....	Free
277	Palm and palm kernel oil, unbleached or bleached, not edible; shea butter..	Free
278	Oils, viz:—cocoanut, palm and palm kernel, not edible, for manufacturing soap; carbolic or heavy oil.....	Free
278b	Crude peanut oil, for refining for edible purposes, used as materials in Canadian manufactures.....	Free
278c	Cocoanut oil, not edible, when imported for use in the manufacture of refined cocoanut oil.....	Free
278d	Olive oil for manufacturing soap or tobacco or for canning fish; olive oil for use in the processing of textile fibres, including the finishing of fabrics...	Free
ex 282a	Firebrick, n.o.p.....	7½ p.c.
284	Drain pipes, sewer pipes and earthenware fittings therefor, chimney linings or vents, chimney tops and inverted blocks, glazed or unglazed, n.o.p.; earthenware tiles, n.o.p.....	20 p.c.
285	Tiles or blocks of earthenware or of stone prepared for mosaic flooring.....	15 p.c.
286	Earthenware and stoneware, viz:—demijohns, churns or crocks, n.o.p.....	20 p.c.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
287	All tableware of china, porcelain, semi-porcelain, or white granite, but not to include tea-pots, jugs and similar articles of the type commonly known as earthenware.....	Free
288	Stoneware and Rockingham ware and earthenware, n.o.p.....	20 p.c.
288a	Chemical stoneware composed of a non-absorbent vitrified body specially compounded to resist acids or other corrosive reagents.....	Free
288b	Hand forms of porcelain, when imported by manufacturers for use exclusively in the manufacture of rubber gloves in their own factories.....	Free
289	Baths, bathtubs, basins, closets, lavatories, urinals, sinks and laundry tubs of earthenware, stone, cement, clay or other material, n.o.p.....	15 p.c.
296c	Magnesium carbonate, imported for use in the compounding or manufacture of rubber products.....	Free
300	Crucibles of clay, sand or plumbago.....	Free
312a	Asbestos in any form other than crude, and all manufactures thereof, when made from crude asbestos of Empire origin, n.o.p.....	Free
316a	Incandescent lamp bulbs and glass tubing for use in the manufacture of incandescent lamps, and mantle stocking for gas light.....	Free
318	Common and colourless window glass.....	Free
319	Glass, in sheets, and bent plate glass, n.o.p.....	Free
320	Plate glass, not bevelled, in sheets or panes not exceeding seven sq are feet each, n.o.p.....	Free
321	Plate glass, not bevelled, in sheets or panes, exceeding seven square feet each, and not exceeding twenty five square feet each, n.o.p.....	Free
322	Plate glass, n.o.p.....	17½ p.c.
323	Silvered glass, bevelled or not and framed or not, n.o.p.....	20 p.c.
ex 326a)	(i) Demijohns or carboys, bottles, flasks, phials, jars and balls, of glass, not cut, n.o.p.; lamp chimneys of glass, n.o.p.; decanters and machine-made tumblers of glass, not cut nor decorated, n.o.p.....	15 p.c.
	(ii) Opal glassware, glass tableware, cut glassware and illuminating glassware, n.o.p.....	10 p.c.
326a	Manufactures of glass, n.o.p.....	10 p.c.
326e	Articles of glass, not plate or sheet, designed to be cut or mounted; articles of glassware, when imported by manufacturers of silverware to be used in receptacles made of, or electro-plated with, precious metals, in their own factories.....	Free
326g	High thermal shock resisting glassware.....	Free
339a	Lead capsules for bottles.....	Free
340	Type for printing, including chases, quoins and slugs, of all kinds.....	7½ p.c.
341	Babbit metal and type metal, in blocks, bars, plates and sheets.....	10 p.c.
ex 352) ex 427) ex 445k) ex 446a) ex 462)	Fixed or stationary meters, of a size or capacity not made in Canada, for hydraulic engineering; gauges, indicators and recorders for water or other liquid levels, volume or flow, of a class or kind not made in Canada.....	Free.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
ex 352 ex 362 ex 519 ex 597a ex 624 ex 647 <i>et al.</i>	Antiquities (other than spirits or wines) produced more than 100 years prior to date of importation, under such regulations, including proof of antiquity, as may be prescribed by the Minister.....	Free.
353	Aluminum and alloys thereof, crude or semi-fabricated, viz:—pigs, ingots, blocks, notch bars, slabs, billets and blooms; bars, rods and wire; angles, channels, beams, tees and other rolled or drawn sections and shapes; pipes and tubes; plates, sheets and strips, including circles; leaf, n.o.p., or foil, less than .005 inch in thickness, plain or embossed, with or without backing; wire and cable, twisted or stranded, reinforced with steel or not; aluminum powder.....	Free
353a	Aluminum leaf, less than .005 millimetres in thickness; aluminum scrap..... Provided, that nothing shall be deemed to be aluminum scrap except waste or refuse aluminum, fit only to be remelted.	Free
354	Manufactures of aluminum, n.o.p.....	15 p.c.
354a	Kitchen or household hollow-ware of aluminum, n.o.p.....	20 p.c.
357	Britannia metal, nickel silver, Nevada and German silver, manufactures of, not plated, n.o.p.....	15 p.c.
361	Gold and silver leaf; Dutch or schlag metal leaf; brocade and bronze powders	15 p.c.
362	Articles consisting wholly or in part of sterling or other silverware, n.o.p.; manufactures of gold or silver, n.o.p.....	20 p.c.
362b	Toilet articles of all kinds, including atomizers, brushes, buffers, button hooks, combs, cuticle knives, hair receivers, hand-mirrors, jewel boxes, manicure scissors, nail files, perfume bottles, puff jars, shoe horns, trays and tweezers, of which the manufactured component material of chief value is sterling silver.....	17½ p.c.
362c	Nickel-plated ware, gilt or electro-plated ware, n.o.p.....	17½ p.c.
368	Clocks, time recorders, clock movements, clockwork mechanisms, and clock cases.....	15 p.c.
369	Parts of clock movements or of clockwork mechanisms, finished or unfinished, not including plates.....	10 p.c.
370	Copper rollers, and stones, used in the printing of textile fabrics or wallpaper.	Free
ex 377a <i>et al.</i>	Wrought iron in the form of billets, bars, rods, sheets, strips, plates or skelp..	Free
377c	Ingots, clogged ingots, blooms, slabs, billets, n.o.p., of iron or steel, of a class or kind not made in Canada, when imported by manufacturers of forgings for use exclusively in the manufacture of forgings, in their own factories, under regulations prescribed by the Minister.....	Free
ex 378	Bars and rods, of iron or steel; billets, of iron or steel, weighing less than 60 pounds per lineal yard:— (b) Not further processed than hammered or pressed, n.o.p..... (c) Cold rolled, drawn, reeled, turned or ground, n.o.p..... (d) Hot rolled, valued at not less than 4 cents per pound, n.o.p.....	10 p.c. 10 p.c. Free
ex 378a	Bars or rods, of iron or steel, hot rolled, viz:— Rounds over 4½ inches in diameter and squares over 4 inches.....	Free
ex 379	Bars or rods, of iron or steel, including billets weighing less than 60 pounds per lineal yard, hot rolled, as hereunder defined, under regulations prescribed by the Minister:— (e) Bars of iron or steel, hot rolled, 5 inches in diameter and larger, when imported by manufacturers of polished shafting for use in their own factories..... (f) Sash or casement sections of iron or steel, hot or cold rolled, not punched, drilled nor further manufactured, when imported by manufacturers of metal window frames, for use in their own factories.....	Free. Free.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
380	Plates of iron or steel, hot or cold rolled:— (a) Not more than 66 inches in width, n.o.p. per ton (b) More than 66 inches in width, n.o.p. (c) Flanged, dished or curved, n.o.p. (d) With chequer, diamond or other raised pattern on contact surface.	\$4.25 Free 5 p.c. Free
ex 381	Sheets, of iron or steel, hot or cold rolled:— (a) .080 inch or less in thickness, n.o.p.	7½ p.c.
382	Hoop, band or strip, of iron or steel:— (a) Hot rolled, .080 inch or less in thickness, n.o.p. (b) Hot rolled, more than .080 inch in thickness, n.o.p. per ton (c) Cold rolled or cold drawn, .080 inch or less in thickness, n.o.p. (d) Cold rolled or cold drawn, more than .080 inch in thickness, n.o.p.	5 p.c. \$3.00 7½ p.c. 12½ p.c.
383	Sheets, plates, hoop, band or strip, of iron or steel:— (a) Coated with tin, of a class or kind not made in Canada, n.o.p. (b) Coated with tin, n.o.p. (c) Coated with zinc, n.o.p. (d) Coated with metal or metals, n.o.p. (e) Coated with paint, tar, asphaltum or otherwise coated, n.o.p. (f) Coated with vitreous enamel, n.o.p. (g) Corrugated, coated or not.	Free Free 7½ p.c. 5 p.c. 5 p.c. 10 p.c. 10 p.c.
385	Sheets, plates, hoop, band or strip, of iron or steel, hot rolled, valued at not less than five cents per pound, n.o.p.	Free
385a	Sheets, plates, hoop, band or strip, of rust, acid or heat resisting steels, hot or cold rolled, polished or not, valued at not less than five cents per pound.	Free
ex 386	Sheets, plates, hoop, band or strip, of iron or steel, as hereunder defined, under regulations prescribed by the Minister:— (a) Plates, when imported by manufacturers for use exclusively in the manufacture or repair of the pressure parts of boilers, pulp digesters, steam accumulators and vessels for the refining of oil, in their own factories. (h) Sheets, plates, hoop, band or strip, hardened, tempered or ground, not further manufactured than cut to shape, without indented edges, when imported by manufacturers of saws for use exclusively in the manufacture of saws, in their own factories. (m) (i) Sheets of iron or steel, cold rolled, when imported by manufacturers for use exclusively in the manufacture of sheets coated with tin. (ii) Sheets, hoop, band or strip, of iron or steel, hot rolled, when imported by manufacturers for use exclusively in the manufacture of sheets, hoop, band or strip, coated with zinc or other metal or metals, not including tin, in their own factories. (p) Sheets of iron or steel, hot or cold rolled, with silicon content of .075 p.c. or more, when imported by manufacturers of electrical apparatus, for use in the manufacture of electrical apparatus in their own factories. (q) Hoop steel, hot or cold rolled, plain or coated, .064 inch or less in thickness, not more than three inches in width, when imported by manufacturers of barrels or kegs or by manufacturers of flat hoops for barrels and kegs, for use exclusively in their own factories.	Free. Free. Free. Free. 5 p.c. Free. Free.
387c	Steel grooved (or girder) rails for electric tramway use, weighing not less than 75 pounds per lineal yard, punched, drilled, or not, of shapes and lengths not made in Canada.	Free
388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including interlocking sections, if any, used therewith, n.o.p.	Free
388b	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees and other shapes or sections, not punched, drilled or further manufactured than hot rolled, n.o.p.; piling of iron or steel, not punched or drilled, including interlocking sections, if any, used therewith, n.o.p. per ton	\$4.00

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
388d	Iron or steel angles, beams, channels, columns, girders, joists, piling, tees, zees and other shapes or sections, punched, drilled or further manufactured than hot rolled or cast, n.o.p.....	20 p.c.
388e	Iron or steel side or centre sill sections, of all sizes not manufactured in Canada, weighing not less than 35 pounds per lineal yard, not punched, drilled or further manufactured, when imported by manufacturers of railway cars, for use in their own factories.....	Free
390c	Piston ring castings of steel, in the rough as from the moulds.....	Free
392	Forgings, of iron or steel, in any degree of manufacture, n.o.p.....	17½ p.c.
ex 392 } 392a)	Forgings of iron or steel, in any degree of manufacture, hollow, machined or not, not less than 12 inches in internal diameter; and all other forgings, solid or otherwise, in any degree of manufacture, of a weight of 20 tons or over.....	Free
393	Tires, of steel, in the rough, not drilled or machined in any manner, for railway vehicles, including locomotives and tenders.....	Free
ex 394	Axles and axle bars, n.o.p., and axle blanks, and parts thereof, of iron or steel:— (a) For railway vehicles, including locomotives and tenders.....	7½ p.c.
396	Pipe, cast, of iron or steel, valued at not more than five cents per pound..per ton	\$5.00
396a	Pipe, cast, of iron or steel, n.o.p.....	Free
ex 397	Pipes and tubes, of wrought iron or steel, plain or coated:— (c) Not joined, with plain ends, not more than 2½ inches in diameter, n.o.p..... (d) N.o.p.....	5 p.c. 12½ p.c.
ex 397(b) } 398a)	Pipes and tubes of iron or steel, seamless, cold drawn, plain ends, polished, valued at not less than five cents per pound; steel tubes, welded or seamless, more than 10½ inches in diameter, with plain ends, when imported for use exclusively in the manufacture or repair of rolls for papermaking machinery.....	Free
401	Wire, of iron or steel:— (a) Barbed fencing, coated or not..... (b) Twisted, braided or stranded, including wire rope or cable, coated or not, n.o.p..... (c) Drawn flat or cold rolled flat after drawing, coated or not, n.o.p., not more than .25 inch in width and less than .1875 inch in thickness (d) Coated with zinc or spelter, curved or not, in coils, .144, .104, or .092 inch in diameter, with tolerance not to exceed .004 inch, and not for use in telegraph or telephone lines, n.o.p..... (e) Coated with zinc or spelter, n.o.p..... (f) Single or several, coated, n.o.p., or covered with any material, including cable so covered..... (g) N.o.p.....	Free 15 p.c. 7½ p.c. Free. 10 p.c. 15 p.c. 15 p.c.
402a	Woven or welded wire fencing, of iron or steel, coated or not, n.o.p.; wire cloth or wire netting, of iron or steel, coated or not.....	20 p.c.
402b	Woven netting, of iron or steel, coated, made from wire of 17 gauge or heavier, with meshes not smaller than one inch and not larger than two inches, with specially strengthened joints, when for use exclusively on fur farms, under regulations prescribed by the Minister.....	12½ p.c.
406	Coil chain, coil chain links, including repair links, and chain shackles, of iron or steel:— (a) One and one-eighth inches in diameter and over..... (b) Less than one and one-eighth inches in diameter.....	Free. 15 p.c.
407	Silent chain and finished roller chain, of iron or steel, and complete parts thereof, of a class or kind not made in Canada, n.o.p., either chain of the type which operates over gears or sprockets with machine cut teeth.....	Free.
407a	Chains, of iron or steel, n.o.p., and complete parts thereof.....	15 p.c.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
408	Malleable sprocket chain and link belting chain of iron or steel, including roller chain of all kinds for operating on steel sprockets or gears, when imported by manufacturers of agricultural implements for use exclusively in the manufacture of agricultural implements, in their own factories, under regulations prescribed by the Minister.....	Free.
409	Cream separators and complete parts therefor, including steel bowls.....	Free.
409m	Internal combustion traction engines; traction attachments designed to be combined with automobiles in Canada for use as traction engines; complete parts of all the foregoing.....	Free.
410b	Machinery and apparatus for use exclusively in washing or dry cleaning coal at coal mines or coke plants; machinery and apparatus for use exclusively in producing coke and gas; machinery and apparatus for use exclusively in the distillation or recovery of products from coal tar or gas; and complete parts of all the foregoing, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter.....	Free.
410l	Ore crushers, rock crushers, stamp mills, grinding mills, rock drills, percussion coal cutters, coal augers, rotary coal drills, n.o.p., and complete parts of all the foregoing, for use exclusively in mining, metallurgical or quarrying operations.....	5 p.c.
410n	Diamond drills and core drills, not including motive power, electrically operated rotary coal drills, and coal cutting machines, n.o.p., and integral parts of the foregoing, for use exclusively in mining operations.....	Free
410u	Blowers, of iron or steel, n.o.p., for use in the smelting of ores, or in reduction, separation or refining of metals, ores or minerals; rotary kilns, revolving roasters and furnaces of metal, n.o.p., for use in the roasting of ore, mineral, rock or clay; furnace slag trucks and slag pots, n.o.p.; and integral parts of all the foregoing.....	12½ p.c.
410z	Machinery and apparatus, n.o.p., and complete parts thereof, for the recovery of solid or liquid particles from flue or other waste gases at metallurgical or industrial plants, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter.....	5 p.c.
412b	Flat bed cylinder printing presses, to print sheets of a size 25 by 38 inches or larger, and complete parts thereof; machines designed to fold or sheet-feed paper or cardboard, and complete parts thereof.....	Free
412d	Offset presses; lithographic presses; printing presses and typemaking accessories therefor, n.o.p.; complete parts of the foregoing, not to include saws, knives and motive power.....	Free
414	Typewriters and complete parts thereof.....	Free
414c	Adding, bookkeeping, calculating and invoicing machines and complete parts thereof, n.o.p.....	Free
415	Electric vacuum cleaners and attachments therefor; hand vacuum cleaners; and complete parts of all the foregoing, including suction hose, n.o.p.....	5 p.c.
415d	Sewing machines, with or without motive power incorporated therein; complete parts of sewing machines.....	5 p.c.
422	Street or road rollers and complete parts thereof.....	Free
424	Fire engines and other fire extinguishing machines; chassis for same; complete parts other than chassis parts	Free
425	Lawn mowers.....	10 p.c.
427	All machinery composed wholly or in part of iron or steel, n.o.p., and complete parts thereof.....	10 p.c.
ex 427 ex 446a et al.)	Motion picture projectors, arc lamps for motion picture work, motion picture or theatrical spot lights, light effect machines, motion picture screens, portable motion picture projectors complete with sound equipment; complete parts of all the foregoing, not to include electric light bulbs, tubes, or exciter lamps.....	Free

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
427a	All machinery composed wholly or in part of iron or steel, n.o.p., of a class or kind not made in Canada; complete parts of the foregoing.....	Free
427b	Ball and roller bearings.....	Free
427c	Machinery for dairying purposes, viz:—power churns, power milk coolers, power fillers and cappers, power ice cream mixers, power butter printers, power cream savers, power bottle sterilizers, power brine tanks, power milk bottle washers, power milk can washers; ice-breaking machines, valveless or centrifugal milk pumps, sanitary milk and cream vats; none of the foregoing machinery to include motive power.....	Free
427d	Machines designed for making rigid composite box-ends of wood—consisting of a centre with separate nailing edges attached—from scrap or waste mill stock, and complete parts thereof, not to include motive power.....	Free
427e	Automatic machines for making and packaging cigarettes, not to include tobacco preparing machines.....	Free
428d	Magnetos and complete parts thereof, when imported by manufacturers of internal combustion engines, for use exclusively in the manufacture of such internal combustion engines, in their own factories.....	Free
428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p.....	Free
428f	Air-cooled internal combustion engines of not greater than 1½ h.p. rating, and complete parts thereof.....	Free
ex 429	Cutlery of iron or steel, plated or not:— (b) Table knives and table forks..... (c) Penknives, jack-knives and pocket knives of all kinds..... (d) Knives, n.o.p..... (e) Spoons..... (f) Scissors and shears, n.o.p..... (g) Razor blades; razors and complete parts thereof.....	15 p.c. Free Free 15 p.c. Free Free
430	Nuts and bolts with or without threads, washers, rivets, of iron or steel, coated or not, n.o.p.; nut and bolt blanks, of iron or steel..... per one hundred pounds	25 cts. and 7½ p.c.
430a	Hinges and butts, of iron or steel, coated or not, n.o.p.; hinge and butt blanks, of iron or steel..... per one hundred pounds	75 cts. and 5 p.c.
ex 431b	Adzes, anvils, vises, cleavers, hatchets, saws, augers, bits, drills, screw-drivers, planes, spokeshaves, chisels, mallets, metal wedges, wrenches, sledges, hammers, crowbars, cantdogs, and track tools, picks, mattocks, and eyes or polls for the same.....	10 p.c.
ex 431b	Files and rasps.....	Free.
431c	Machinists' or metal workers' precision tools and measuring instruments, viz:—Calipers, micrometers, metal protractors and squares, bevels, verniers, gauges, gauge blocks, parallels, buttons, mercury plumb bobs, dividers, trammels, scribes, center punches, pocket speed indicators, straight edges, key seat clamps and other clamps and vises used by tool-makers for precision work, precision tools and measuring instruments, n.o.p.	Free
431d	Engineers', surveyors' and draughtsmen's precision instruments and apparatus, viz:—Alidades; altazimuth surveying instruments; aneroid barometers, engineering, military and surveying; angle prisms; boards, military sketching; box sextants; clinometers; compasses; cross staff heads; curves, adjustable, irregular, railroad and ship; curvimeters; drafting instruments of all kinds, including fitted cases containing the same; dipping needles; drafting machines; heliographs; integrators; levels, tripod and hand or pocket types; levelling rods; liners, section; meters, portable, for hydraulic engineering; pantographs; planimeters; protractors; parallel rulers; parallel ruling attachments; poles, ranging; pedometers and paceometers; plane tables, military and topographic; scales, flat and triangular; slide rules; splines; straight edges, steel and wooden; tacheometers; tallying machines, pocket; tee squares, steel and wooden; telemeters; theodolites; transits, tripod and hand or pocket types; triangles of all types; tripods for use with any of the foregoing instruments.	Free

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
431e	Measuring rules and tapes of all kinds.....	15 p.c.
432	Hollow-ware, of iron or steel, coated or not, n.o.p.....	10 p.c.
432a	Kitchen and dairy hollow-ware of iron or steel, coated with tin, including cans for shipping milk or cream, not painted, japanned or decorated.....	15 p.c.
432b	Hollow-ware, of iron or steel, coated with vitreous enamel.....	17½ p.c.
432d	Manufactures of tinplate, painted, japanned, decorated or not, and manufactures of tin, n.o.p.....	15 p.c.
ex 432d } ex 339 }	Collapsible tubes of lead or tin or lead coated with tin.....	10 p.c.
433	Baths, bathtubs, basins, closets, lavatories, urinals, sinks, and laundry tubs of iron or steel, coated or not.....	5 p.c.
ex 434 } 434a }	Motor rail cars or units for use on railways, and chassis for same; complete parts of the foregoing.....	Free
434b } ex 438 }	Steel wheels for use on railway rolling stock.....	7½ p.c.
ex 435	Locomotives and motor cars for railways, of a class or kind not made in Canada, and complete parts thereof, for use exclusively in mining or metallurgical operations.....	Free
ex 438a	Automobiles and motor vehicles of all kinds, n.o.p.; chassis for the foregoing.. Provided, that machines or other articles mounted on the foregoing or attached thereto for purposes other than for loading or unloading the vehicle shall be valued separately and duty assessed under the tariff items regularly applicable thereto.	Free
ex 438 } ex 438a } ex 711 }	Electric trackless trolley buses and chassis for same; complete parts of the foregoing.....	Free
438b	Bearings, clutch release; bearings, graphite; bearings, steel backed non-ferrous; bushings, graphited or oil impregnated; ceramic insulator spark plug cores, not further manufactured than burned and glazed, printed or decorated or not, without fittings; commutator copper segments; commutator insulating end rings; discs of hot rolled steel, spun or forged, with or without center hole, for disc wheels; distributor rotors, cam assemblies and vacuum control assemblies; door bumper shoes; electric wiring terminals, sockets, fittings and connectors; gaskets of metal and asbestos, composite; ignition contact points; keys for shafting; lenses for head, tail, dome, signal and cowl or parking lamps; lock washers; piston ring castings in the rough, with or without gates and fins removed; steel bolts capped with stainless steel; switches for lamps, and parts thereof; vulcanized fibre in sheets, rods, strips and tubing; all the foregoing being of a class or kind not made in Canada, when for use in the manufacture of the automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424, or for use in the manufacture of parts thereof, or for the replacement or repair of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424.....	Free
438c	Ammeters; arm rests and wheel housing lining of indurated fibre, pressed to shape; axle housings, one piece welded, machined or not; carburetors and parts thereof; chassis frames; cigar and cigarette lighters, including base and parts thereof; control ventilator gear box; cylinder lock barrels, with or without sleeves and keys thereof; dash heat indicators; fuel pumps and parts thereof; gasoline gauges and parts thereof; hinges, finished or not, for bodies; horns and parts thereof; instrument bezel assemblies and parts thereof; instrument board lamps; locks, electric ignition, steering gear, transmission, or combinations of such locks, and parts thereof; mouldings of metal, with nails set in position, lead filled or not; oil filters and parts thereof; oil gauges and parts thereof; pipe lines, bent to shape and equipped with fittings or not, and tubing therefor, for fuel, air, or liquid for actuating hydraulic brakes; purifiers for air, and parts thereof; purifiers for oil and parts thereof; radiator grills, assembled or not, but not polished or plated, and not to include finish or decorative moulding; radiator orna-	

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
438c	ments, unplated; radiator shutter assemblies, automatic; radiator water gauges; radiator shells, not plated, nor metal finished in any degree; shackles, bearing spring and parts thereof; speedometers and parts thereof; spring covers of metal and closing strips or shapes therefor; stampings, body, cowl, hood, fender and instrument board, of metal, in the rough, trimmed or not, but not metal finished in any degree; starter switch assembly and parts thereof; steering wheels, and rims therefor; sun visor blanks of gypsum weatherboard; thermostats and parts thereof; throttle and spark buttons assemblies; vacuum tanks; windshield wipers and parts thereof; all the foregoing being of a class or kind not made in Canada, when imported for use in the manufacture of the automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 or for use in the manufacture of parts thereof, or for the replacement or repair of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424.....	Free
438d	Front and rear axles; brakes; clutches; internal combustion engines; steering gears; magnetos; rims for pneumatic tires larger than thirty inches by five inches; transmission assemblies; steel road wheels; and complete parts of the foregoing, all of a class or kind not made in Canada, when imported by manufacturers of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 for use only in the manufacture of motor trucks or motor truck chassis.....	Free
438e	Parts, n.o.p., for automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424, not to include wireless receiving sets, die castings of zinc, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of chief value is rubber:— (1) Brake linings, and clutch facings whether or not including metallic wires or threads:— (a) when made from crude asbestos of Empire origin..... (b) when made from crude asbestos of non-Empire origin..... (2) Automobile and motor vehicle engines, stripped, n.o.p., and complete parts thereof, n.o.p..... (3) Parts, n.o.p., not electro-plated, whether finished or not.....	Free 15 p.c. Free. Free
438f	Hot rolled strip of iron or steel with rolled or mill edge, not being of greater value than 2½ cents per pound, of a class or kind not made in Canada, when imported by manufacturers of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 or by manufacturers of parts of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 to be used in the manufacture of such automobiles, motor vehicles or chassis, or parts thereof, in their own factories.....	Free
438g	Motor cycles or side cars therefor, and complete parts of the foregoing.....	Free
438h	Annular ball bearings and parts thereof, when imported for use only as original equipment in the manufacture of goods enumerated in tariff items 438a and 424, under regulations prescribed by the Minister.....	Free
439f	Children's carriages, sleds and other vehicles; complete parts of all the foregoing.....	15 p.c.
440j	Trawls, trawling spoons, fly hooks, sinkers, swivels, sportsmen's fishing reels, bait, hooks, and fishing tackle, n.o.p.....	Free
440l	Aircraft and complete parts thereof, not including engines, under regulations prescribed by the Minister.....	Free
440m	Engines and complete parts thereof, when imported for use only in the equipment of aircraft.....	Free
440n	Complete parts for repair of engines enumerated in tariff item 440m.....	Free
441e	Guns and rifles of a class or kind not made in Canada.....	5 p.c.
445c	(i) Electric telegraph apparatus and complete parts thereof.....	Free
	(ii) Electric telephone apparatus and complete parts thereof.....	10 p.c.
445d	Electric wireless or radio apparatus and complete parts thereof.....	Free

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
445f	Electric dynamos or generators and transformers, and complete parts thereof, n.o.p.....	15 p.c.
445g	Electric motors, and complete parts thereof, n.o.p.....	15 p.c.
ex 445k	Electrical instruments and apparatus of precision of a class or kind not made in Canada, viz:—meters or gauges for indicating and/or recording altitude, amperes, comparisons, capacity, density, depth, distance, electrolysis, flux, force, frequency, humidity, inductance, liquid levels, ohms, operation, power factor, pressure, space, speed, stress, synchronism, temperature, time, volts, volume, watts; complete parts thereof.....	Free
445 l	Electric storage batteries, composed of plates measuring not less than eleven inches by fourteen inches and not less than three-quarters inch in thickness; complete parts thereof.....	Free
445m	Flame proof electric switch gear, for use underground in coal mines, and complete parts thereof.....	Free
446	Electric steam turbo generator sets, 700 h.p. and greater, of a class or kind not made in Canada, and complete parts thereof.....	Free
446a	Manufactures, articles or wares, of iron or steel or of which iron or steel or both are the component materials of chief value, n.o.p.....	10 p.c.
ex 446a	Cellulose acetate film reinforced with wire mesh.....	Free
ex 446a } et al. }	Electric welding apparatus, not including motors.....	10 p.c.
446b	Steel bicycle rims, not enamelled nor plated.....	Free
446c	Golf shafts of seamless steel, coated or not, but not chromium plated.....	Free
446d	Bottles or cylinders of seamless steel used as high-pressure containers for gas.	Free
451	Buckles, clasps, eyelets, hooks and eyes, dome, snap or other fasteners of iron, steel, brass or other metal, coated or not, n.o.p. (not being jewellery)....	15 p.c.
451a	(i) Spring-beard needles and latch needles..... (ii) Needles, of any material or kind, n.o.p.....	10 p.c. 10 p.c.
451b	Pins manufactured from wire of any metal, n.o.p.....	17½ p.c.
462	Philosophical, photographic, mathematical and optical instruments, n.o.p.; speedometers, cyclometers and pedometers, n.o.p.; complete parts of all the foregoing.....	7½ p.c.
465	Signs of any material other than paper, framed or not; letters and numerals of any material other than paper.....	10 p.c.
469	Machine card clothing.....	10 p.c.
471a	Pressed steel belt pulleys, for power transmission, and finished or unfinished parts thereof, including interchangeable bushings.....	Free
475b	Matrices for stereotypes, electrotypes and celluloids described in item 475a...	Free
476	Surgical and dental instruments of any material; surgical needles; X-ray apparatus; microscopes valued at not less than \$50 each, by retail; and complete parts of all the foregoing.....	Free
488	Nitrate and acetate of lead, not ground; platinum and black oxide of copper, for use in the manufacture of chlorates and colours.....	Free
506b	Wooden doors of a height and width not less than 6 feet and 2 feet, respectively.	Free
ex 511	Fishing rods.....	Free
511a	Cricket bats, balls, gloves and leg guards.....	Free
512	Picture frames and photograph frames, of any material.....	17½ p.c.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
518	Billiard tables, with or without pockets, and bagatelle and other game tables or boards, cues, balls, cue-racks and cue-tips.....	17½ p.c.
519	House, office, cabinet or store furniture of wood, iron or other material, in parts or finished.....	15 p.c.
522	Rovings, yarns and warps, wholly of cotton, not more advanced than singles, n.o.p.....	12½ p.c.
522c	Rovings, yarns and warps, wholly of cotton, including threads, cords and twines generally used for sewing, stitching, packaging and other purposes, n.o.p.; cotton yarns, wholly or partially covered with metallic strip, generally known as tinsel thread.....	15 p.c.
522d	Yarns and warps, wholly of cotton, mercerized, number forty and finer, imported, under regulations prescribed by the Minister, for sale to manufacturers, to be further manufactured in their own factories.....	Free
522f	Yarns and warps, wholly of cotton, number forty and finer, when imported by manufacturers of mercerized cotton yarns, for use exclusively in the manufacture of mercerized cotton yarns, in their own factories.....	Free
523	Woven fabrics, wholly of cotton, not bleached, mercerized, nor coloured, n.o.p., and seamless cotton bags.....	15 p.c.
523a	Woven fabrics, wholly of cotton, bleached or mercerized, not coloured, n.o.p..	20 p.c.
523b	Woven fabrics, wholly of cotton, printed, dyed or coloured, n.o.p.....	20 p.c.
ex 523b	Shadow cretonnes, wholly of cotton, with printed warp and plain weft.....	12½ p.c.
ex 523b	Gabardines, wholly of cotton, with not less than 280 ends and picks of ply yarn per square inch.....	12½ p.c.
ex 523 } ex 523a } ex 523b }	Woven fabrics, wholly of cotton, composed of yarns of counts of not less than 80 and not more than 99, including all such fabrics in which the average count of the warp and weft yarns is not less than 80 and not more than 99.	12½ p.c.
523c	Woven fabrics, wholly of cotton, composed of yarns of counts of 100 or more, including all such fabrics in which the average of the count of warp and weft yarns is 100 or more.....	Free
523e	Woven fabrics wholly of cotton with cut pile, n.o.p.....	15 p.c.
ex 523e } ex 561 }	Fabrics with cut weft pile, wholly of cotton or of cotton and artificial silk....	5 p.c.
523f	Woven fabrics of cotton, not coloured, when imported by manufacturers of typewriter ribbon for use exclusively in the manufacture of such ribbon in their own factories.....	Free
525	Woven fabric, wholly of cotton, specially treated and glazed, when imported by rubber manufacturers for use, in their own factories, exclusively as a detachable protective covering for uncured rubber sheeting.....	Free
528	White cotton bobinet, plain, in the web.....	Free
529	Embroideries, lace, nets, nettings, bobinet, n.o.p., fringes and tassels, wholly of cotton.....	20 p.c.
529a	Lace and embroideries, wholly of cotton, not coloured, imported by manufacturers for use exclusively in the manufacture of clothing, in their own factories.....	7½ p.c.
530	Lace and embroideries, wholly of cotton, coloured, imported by manufacturers for use exclusively in the manufacture of clothing, in their own factories	7½ p.c.
532	Clothing, wearing apparel and articles, made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly of cotton, n.o.p.; fabrics wholly of cotton, coated or impregnated, n.o.p.....	25 p.c.
ex 532	Handkerchiefs, wholly of cotton.....	15 p.c.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
ex 532	Woven fabric, wholly of cotton, for covering books.....	15 p.c.
537	Rovings, yarns and warps, wholly or in part of vegetable fibres, not more advanced than singles, n.o.p., not to contain silk, artificial silk nor wool.	12½ p.c.
537a	Rovings, yarns and warps wholly or in part of vegetable fibres, including yarn twist, cords and twines generally used for packaging and other purposes, n.o.p., not to contain silk, artificial silk nor wool.....	17½ p.c.
537b	Linen thread, for hand or machine sewing.....	Free
537d	Rovings, yarns and warps, wholly of jute, not more advanced than singles, n.o.p., not to contain silk, artificial silk nor wool.....	Free
537e	Rovings, yarns and warps wholly of jute, including yarn twist, cords and twines generally used for packaging and other purposes, n.o.p.....	25 p.c.
539	Cordage, exceeding one inch in circumference, wholly of vegetable fibres, n.o.p.....	17½ p.c.
ex 540	(a) Woven fabrics, in the web, wholly of flax or hemp, not to include towelling and glass cloth of crash or huck, with or without lettering or monograms woven in, nor table cloths and napkins of crash with coloured borders....	Free
	(b) Articles wholly of flax or hemp, such as sheets, pillow cases, table cloths and napkins, towels and handkerchiefs, but not to include towels or glass cloths of crash or huck, with or without lettering or monograms woven in, nor table cloths and napkins of crash with coloured borders.....	Free
541a	Woven fabrics, wholly of jute, n.o.p.....	Free
541d	Canvas in the web, wholly of flax or hemp, or both, plain woven, not coloured, not further manufactured than impregnated with weather-proofing or preservative materials, suitable for manufacturing into tents, awnings, tarpaulins, hatch covers and similar articles, weighing not less than 18 ounces and not more than 26 ounces per square yard.....	15 p.c.
542	Woven fabrics, wholly or in part of vegetable fibres, and all such fabrics with cut pile, n.o.p., not containing silk, artificial silk nor wool.....	20 p.c.
542a	Woven or braided fabrics not exceeding twelve inches in width, wholly or in part of vegetable fibres, n.o.p., not to contain silk, artificial silk nor wool.	22½ p.c.
542b	Linen fire-hose, lined or unlined.....	15 p.c.
547	Bags or sacks of hemp, linen or jute.....	15 p.c.
548	Clothing, wearing apparel and articles, made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly or in part of vegetable fibres but not containing wool, n.o.p.; fabrics, coated or impregnated, composed wholly or in part of vegetable fibres but not containing silk, artificial silk nor wool, n.o.p.....	25 p.c.
ex 548	Woven dress linens containing not more than 15 p.c. by weight of cotton yarns for decorative effect.....	Free
549c	Haircloth, composed of horse hair in combination with any vegetable fibre..	17½ p.c.
551	Yarns, composed wholly or in part of wool or hair but not containing silk or artificial silk, n.o.p..... and, per pound	15 p.c. 6 cts.
551a	Yarns and warps composed wholly of wool or in part of wool or hair, imported by manufacturers for use exclusively in their own factories, n.o.p..... and, per pound	10 p.c. 5 cents
551c	Yarns and warps, composed wholly of hair, or of hair and any vegetable fibre, imported by manufacturers for use in their own factories.....	Free
552	Felt, pressed, of all kinds, in the web, not consisting of or in combination with any woven, knitted or other fabric or material..... and, per pound	15 p.c. 5 cts.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
553	Blankets of any material, not to include automobile rugs, steamer rugs, or similar articles..... and, per pound	20 p.c. 5 cts.
554	Woven fabrics, composed wholly or in chief part by weight of yarns of wool or hair, not exceeding in weight six ounces to the square yard, n.o.p., when imported in the gray or unfinished condition, for the purpose of being dyed or finished in Canada..... and, per pound	17½ p.c. 7½ cts.
554a	Woven fabrics, consisting of cotton warps with wefts of lustre wool, mohair or alpaca, generally known as lustres or Italian linings, n.o.p.....	Free
554b	Woven fabrics, composed wholly or in part of yarns of wool or hair, n.o.p. . . . and, per pound Provided, however, that the sum of the specific and <i>ad valorem</i> duties imposed by this item on imports under the British Preferential Tariff shall not be in excess of 50 cents per pound.	22½ p.c. 12 cts.
ex 554b	Filter press cloth of wool.....	20 p.c.
554c	Woven fabrics, composed wholly or in chief part by weight of yarns of wool or hair, not exceeding in weight four ounces to the square yard, when imported in the gray or unfinished condition, for the purpose of being dyed or finished in Canada.....	Free
554f	Woven fabrics, composed wholly or in part of yarns of wool or hair, commonly known as billiard cloth.....	Free
555	Clothing, wearing apparel and articles made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly or in part of wool or similar animal fibres, but of which the component of chief value is not silk nor artificial silk, n.o.p.; fabrics, coated or impregnated, composed wholly or in part of yarns of wool or hair, but not containing silk nor artificial silk, n.o.p.....	30 p.c.
556a	Melton cloth, imported by manufacturers of tennis balls for use in the manufacture of tennis balls, in their own factories.....	Free
556b	Slipper cloth, woven, napped on one or both sides, wholly or in part of wool, not to contain silk or artificial silk, weighing not less than 22 ounces per square yard, when imported by manufacturers of indoor footwear, to be used exclusively in the manufacture of such articles in their own factories.	Free
557b	Garnetted material wholly of silk, artificial silk or similar synthetic fibres, produced by chemical processes, obtained by disintegrating cocoons, yarns or fabrics, prepared for use; filaments or loose fibres wholly of silk, artificial silk or similar synthetic fibres produced by chemical processes, not more advanced than in the form of sliver; waste portions of unused fabrics, wholly of silk, artificial silk or similar synthetic fibres, n.o.p., not to include remnants nor mill ends.....	Free
558b	Rovings, yarns and warps, wholly of artificial silk or similar synthetic fibres, produced by chemical processes, not more advanced than singles, not coloured, with not more than seven turns to the inch, under such regulations as the Minister may prescribe:— (a) Produced from cellulose acetate..... (b) N.o.p.....	5 p.c. 20 p.c.
558c	Rovings, yarns and warps, wholly or in part of silk, n.o.p., including threads, cords or twist for sewing, embroidering or other purposes.....	15 p.c.
558d	Rovings, yarns and warps, wholly or in part of artificial silk or similar synthetic fibres, produced by chemical processes, n.o.p., including threads, cords or twist for sewing, embroidering or other purposes, not to contain silk; artificial silk yarns, wholly or partially covered with metallic strip, one pound of which shall contain not less than 10,000 yards; under such regulations as the Minister may prescribe:— (a) Produced wholly from cellulose acetate..... (b) N.o.p.....	7½ p.c. 25 p.c.

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
558f	Rovings, yarns and warps, wholly of spun artificial silk or similar synthetic fibres, produced by chemical processes, not coloured, imported by manufacturers for use exclusively in the manufacture of cut-pile fabrics, in their own factories.....	Free
560a	Woven fabrics wholly or in part of silk, not to contain wool, not including fabrics in chief part by weight of artificial silk, n.o.p.....	22½ p.c.
561	Woven fabrics wholly or in part of artificial silk or similar synthetic fibres, produced by chemical processes, not to contain wool, not including fabrics in chief part by weight of silk, n.o.p.....	27½ p.c.
565	Embroideries, lace, braids, cords, chenille, gimp, fringes and tassels, whether containing tinsel or not, nets, nettings and bobinet, n.o.p.....	22½ p.c.
ex 565	Plaited or braided lines and cords, non-elastic, whether of tubular or of solid construction, not exceeding one inch in circumference, wholly or in chief part by weight of vegetable fibres.....	17½ p.c.
567	Clothing, wearing apparel and articles, made from woven fabrics and all textile manufactures, wholly or partially manufactured, n.o.p., of which silk is the component of chief value.....	27½ p.c.
567a	Clothing, wearing apparel and articles, made from woven fabrics and all textile manufactures, wholly or partially manufactured, n.o.p., of which the component of chief value is artificial silk or similar synthetic fibres produced by chemical processes.....	25 p.c.
568	Knitted garments, knitted underwear and knitted goods, n.o.p.....	20 p.c.
568a	Socks and stockings:— (i) of wool..... and, per dozen pairs (ii) n.o.p.....	20 p.c. 30 cts. 20 p.c.
568b	Gloves and mitts of all kinds, n.o.p.....	20 p.c.
572	Oriental and imitation Oriental rugs or carpets and carpeting, carpets and rugs, n.o.p.....	30 p.c.
573	Enamelled carriage, floor, shelf and table oil-cloth, linoleum, and cork matting or carpets.....	15 p.c.
578	Regalia, badges and belts of all kinds, n.o.p.....	22½ p.c.
586	Coal, anthracite, n.o.p.....	Free.
597a	Musical instruments of all kinds, n.o.p.; phonographs, graphophones, gramophones and finished parts thereof, including cylinders and records therefor; and mechanical piano and organ players.....	15 p.c.
598	Brass band instruments, n.o.p.; parts of pianofortes and parts of organs.....	Free.
598a	Brass band instruments, of a class or kind not made in Canada; bagpipes and complete parts.....	Free.
603	Fur skins, wholly or partially dressed, n.o.p.....	10 p.c.
ex 604	Belting leather in butts or bends; and all leather further finished than tanned, n.o.p.....	7½ p.c.
ex 604	Crust oil leather, for use in manufacturing chamois leather.....	Free.
ex 604	Sole leather.....	12½ p.c.
605	Leather produced from East India tanned kip, uncoloured or coloured other than black, when imported for use exclusively in lining boots and shoes; genuine reptile leathers.....	Free
605a	Genuine pig leathers and genuine Morocco leathers; so-called roller leathers..	Free

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
607	Leather, when imported by manufacturers of gloves or leather clothing, for use exclusively in manufacturing gloves or leather clothing, in their own factories.....	Free
607a	Leather, not further finished than tanned, in whole hides, in grains, or splits, when imported by manufacturers of upholstering leathers, for use exclusively in the manufacture of upholstering leathers, in their own factories..	Free
608	Leather, not further finished than tanned, and skins, n.o.p.....	5 p.c.
610 } et al. }	Belting, n.o.p.....	15 p.c.
610a	Belting of camel's hair, for machinery.....	7½ p.c.
611a	Boots, shoes, slippers and insoles of any material, n.o.p.....	22½ p.c.
ex 612	English type saddles.....	10 p.c.
617	India-rubber boots and shoes.....	Free
619a	India-rubber clothing and clothing made from waterproofed cotton fabrics ..	25 p.c.
622	Trunks, valises, hat boxes, carpet bags, tool bags, and baskets of all kinds, n.o.p.	15 p.c.
623	Musical instrument cases and fancy cases or boxes of all kinds, portfolios and fancy writing desks, satchels, reticules, card cases, purses, pocket-books, fly books and parts thereof.....	15 p.c.
ex 624	Statues and statuettes of porcelain or earthenware.....	Free.
624a	(i) Dolls; toys of all kinds, n.o.p.....	10 p.c.
	(ii) Mechanical toys of metal.....	10 p.c.
	(iii) Juvenile construction sets of metal, consisting of various stampings, punched, and connections therefor; parts of the foregoing.....	Free
625	Caps, hats, muffs, tippets, capes, coats and cloaks of fur, and other manufactures of fur, n.o.p.....	15 p.c.
628	Braces or suspenders, and finished parts thereof.....	15 p.c.
647	Jewellery of any material, for the adornment of the person, n.o.p.....	25 p.c.
653	Brushes of all kinds.....	15 p.c.
655	Pens, penholders and rulers, of all kinds.....	12½ p.c.
655a	Lead pencils and crayons.....	10 p.c.
656	Tobacco pipes of all kinds, pipe mounts, cigar and cigarette cases, cigar and cigarette holders, and cases for the same, smokers' sets and cases therefor, and tobacco pouches.....	17½ p.c.
ex 657a	Film of standard width (one and one-eighth of an inch and over) when imported for the sole purpose of having 16 millimetre reproductions made therefrom and provided that the original is re-exported within three months from date of importation.....	Free
659	Photographic dry plates.....	15 p.c.
663	Fertilizers, compounded or manufactured, n.o.p.....	Free
663e	Sea-weeds or sea-plants, charred, whether powdered or not, for use exclusively in the feeding of animals.....	Free
670	Grinding wheels, stones or blocks, manufactured by the bonding together of either natural or artificial abrasives; manufactures of emery or of artificial abrasives, n.o.p.....	10 p.c.
683	Barytes.....	Free

No. of Canadian Tariff Item	Article	Rate of Duty on Goods the Growth, Produce or Manufacture of the United Kingdom
684	Rubber thread, not covered.....	Free
685	Pantagraphs and parts thereof, including diamond points, and engraving mills, for engraving copper rollers used in printing textiles and wallpapers; blankets, blanketing and lapping imported for use exclusively by textile manufacturers and wallpaper printers.....	Free
689	Charcoal, animal, for use in the refining of sugar.....	Free
ex 710	Coverings, inside and outside, used in covering or holding goods imported therewith, shall be subject to the following provisions, viz:— (b) Usual coverings containing goods, not machinery, subject to any <i>ad valorem</i> duty, when not included in the invoice value of the goods they contain..... (b b) Usual coverings containing machinery subject to any <i>ad valorem</i> duty, when not included in the invoice value of the goods they contain....	10 p.c. 5 p.c.
ex 711	Iodised mineral salts, for use exclusively in the feeding of animals.....	Free

SCHEDULE V

(See Article 8)

PART I

No. of Canadian Tariff Item	Article	Margin of Preference
203a	Chemical compounds composed of two or more acids or salts soluble in water, adapted for dyeing or tanning.....	10 p.c.
203b	Aniline and coal tar dyes, adapted for dyeing, in bulk, or in packages of not less than one pound.....	10 p.c.
208e	Cresylic acid and compounds of cresylic acid, used in the process of concentrating ores, metals or minerals, n.o.p.....	15 p.c.
ex 208j	Sal Ammoniac.....	20 p.c.
208m	Sulphate of copper (blue vitriol).....	10 p.c.
208o	Cream of tartar in crystals and tartaric acid crystals.....	10 p.c.
208r	Oxide of tin or of copper.....	15 p.c.
208s	Sulphate of zinc and chloride of zinc.....	20 p.c.
208t	All chemicals and drugs, when of a kind not produced in Canada, which were on August 20th, 1932, dutiable at rates of 15, 25, and 25 p.c., under Tariff item 711.....	20 p.c.
ex 210	Peroxide of soda; bichromate of soda; nitrate of soda or cubic nitre, n.o.p.; sulphide of sodium; nitrite of soda; arseniate, binarseniate, chlorate, bisulphite and stannate of soda; prussiate of soda and sulphite of soda...	15 p.c.
212	Sulphate of alumina or alum cake; and alum in bulk, ground or unground, but not calcined.....	15 p.c.
215	Stearic acid, n.o.p.....	17½ p.c.
216	Acids, n.o.p., of a kind not produced in Canada.....	20 p.c.
ex 219	(ii) Solutions of hydrogen peroxide containing 25 per centum or more by weight of hydrogen peroxide.....	20 p.c.
219d	Sulphuric ether; chloroform, n.o.p.; preparations of vinyl ether for anaesthetic purposes.....	20 p.c.
240	Ultramarine blue, dry or in pulp; whiting or whitening; Paris white and gilders' whiting; blanc fixé; satin white.....	10 p.c.
242	Dry red lead; orange mineral; antimony oxide, titanium oxide, and zinc oxide such as zinc white and lithopone; white pigments containing not less than 14 per cent. by weight of titanium dioxide.....	15 p.c.
246b	Stains and oxides, valued at not less than 20 cents per pound, for use exclusively as colouring constituents in the manufacture of vitreous enamels and pottery glazes; and liquid gold paint, for use exclusively in the manufacture of tableware of china, porcelain or semi-porcelain.....	20 p.c.
ex 247 } 247a }	Artists' and schoolchildren's colours; fitted boxes containing the same; artists' brushes; pastels, of a value of one cent per stick, or over; artists' canvas, coated and prepared for oil painting.....	25 p.c.
264	Essential oils, n.o.p., including bay oil, otto of limes, and peppermint oil.....	7½ p.c.
276b	Cotton seed and crude cotton seed oil, when imported by manufacturers of cotton seed meal and refined cotton seed oil, for use exclusively in the manufacture of such commodities, in their own factories.....	10 p.c.
277	Palm and palm kernel oil, unbleached or bleached, not edible; shea butter...	10 p.c.
278	Oils, viz:— cocoanut, palm and palm kernel, not edible, for manufacturing soap; carbofic or heavy oil.....	10 p.c.
278b	Crude peanut oil, for refining for edible purposes, used as materials in Canadian manufactures.....	10 p.c.

No. of Canadian Tariff Item	Article	Margin of Preference
287	All tableware of china, porcelain, semi-porcelain, or white granite, but not to include tea-pots, jugs and similar articles of the type commonly known as earthenware.....	35 p.c.
300	Crucibles of clay, sand or plumbago.....	15 p.c.
318	Common and colourless window glass.....	15 p.c.
319	Glass, in sheets, and bent plate glass, n.o.p.....	25 p.c.
320	Plate glass, not bevelled, in sheets or panes not exceeding seven square feet each, n.o.p.....	20 p.c.
321	Plate glass, not bevelled, in sheets or panes, exceeding seven square feet each, and not exceeding twenty-five square feet each, n.o.p.....	20 p.c.
339a	Lead capsules for bottles.....	25 p.c.
ex 353	Aluminum and alloys thereof, viz:—angles, channels, beams, tees and other rolled, extruded or drawn sections or shapes; pipes and tubes.....	25 p.c.
370	Copper rollers, and stones, used in the printing of textile fabrics or wallpaper..	10 p.c.
407	Silent chain and finished roller chain, of iron or steel, and complete parts thereof, of a class or kind not made in Canada, n.o.p., either chain of the type which operates over gears or sprockets with machine-cut teeth.....	20 p.c.
409p	Pasteurizers for dairying purposes and complete parts thereof.....	15 p.c.
410a	Face loading machines, shaker trough or belt trough conveyors, air engines, flame proof enclosed driving motors, of a class or kind not made in Canada, and integral parts of all motive power or machinery mentioned in this item, for use exclusively at the face in mining operations.....	10 p.c.
410b	Machinery and apparatus for use exclusively in washing or dry cleaning coal at coal mines or coke plants; machinery and apparatus for use exclusively in producing coke and gas; machinery and apparatus for use exclusively in the distillation or recovery of products from coal tar or gas; and complete parts of all the foregoing, not to include motive power, tanks for gas, nor pipes and valves 10½ inches or less in diameter.....	10 p.c.
410n	Diamond drills and core drills, not including motive power, electrically operated rotary coal drills, and coal cutting machines, n.o.p., and integral parts of the foregoing, for use exclusively in mining operations.....	10 p.c.
412b	Flat bed cylinder printing presses, to print sheets of a size 25 by 38 inches or larger, and complete parts thereof; machines designed to fold or sheet feed paper or cardboard, and complete parts thereof.....	10 p.c.
412d	Offset presses; lithographic presses, printing presses and typemaking accessories therefor, n.o.p.; complete parts of the foregoing, not to include saws, knives and motive power.....	10 p.c.
413	Machinery and apparatus, of a class or kind not made in Canada, and parts thereof, specially constructed for preparing, manufacturing, testing or finishing yarns, cordage, and fabrics made from textile fibres or from paper, imported for use exclusively by manufacturers and scholastic or charitable institutions in such processes only.....	5 p.c.
ex 427 ex 446a et al.)	Motion picture projectors, arc lamps for motion picture work, motion picture or theatrical spot lights, light effect machines, motion picture screens, portable motion picture projectors complete with sound equipment; complete parts of all the foregoing, not to include electric light bulbs, tubes, or exciter lamps.....	15 p.c.
427b	Ball and roller bearings.....	25 p.c.
428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p.....	25 p.c.
428f	Air-cooled internal combustion engines of not greater than 1½ h.p. rating, and complete parts thereof.....	20 p.c.
ex 429	Cutlery of iron or steel, plated or not:— (c) Penknives, jack-knives and pocket knives of all kinds.....	25 p.c.
438g	Motor cycles or side cars therefor, and complete parts of the foregoing.....	20 p.c.

No. of Canadian Tariff Item	Article	Margin of Preference
440j	Trawls, trawling spoons, fly hooks, sinkers, swivels, sportsmen's fishing reels, bait, hooks, and fishing tackle, n.o.p.....	25 p.c.
440l	Aircraft and complete parts thereof, not including engines, under regulations prescribed by the Minister.....	17½ p.c.
ex 445k	Electrical instruments and apparatus of precision, of a class or kind not made in Canada, viz:—meters or gauges for indicating and/or recording altitude, amperes, comparisons, capacity, density, depth, distance, electrolysis, flux, force, frequency, humidity, inductance, liquid levels, ohms, operation, power factor, pressure, space, speed, stress, synchronism, temperature, time, volts, volume, watts; complete parts thereof.....	15 p.c.
445l	Electric storage batteries, composed of plates measuring not less than eleven inches by fourteen inches and not less than three-quarters inch in thickness; complete parts thereof.....	25 p.c.
446	Electric steam turbo generator sets, 700 h.p. and greater, of a class or kind not made in Canada, and complete parts thereof.....	20 p.c.
ex 476	Dental instruments of any material; surgical needles; X-ray apparatus; microscopes valued at not less than \$50 each, by retail; and complete parts of all the foregoing.....	10 p.c.
522f	Yarns and warps, wholly of cotton, number forty and finer, when imported by manufacturers of mercerized cotton yarns, for use exclusively in the manufacture of mercerized cotton yarns, in their own factories.....	15 p.c.
523c	Woven fabrics, wholly of cotton, composed of yarns of counts of 100 or more, including all such fabrics in which the average of the count of warp and weft yarns is 100 or more.....	27½ p.c.
523f	Woven fabrics of cotton, not coloured, when imported by manufacturers of typewriter ribbon for use exclusively in the manufacture of such ribbon in their own factories.....	12½ p.c.
537b	Linen thread, for hand or machine sewing.....	22½ p.c.
ex 540	(a) Woven fabrics, in the web, wholly of flax or hemp, not to include towelling and glass cloth of crash or huck, with or without lettering or monograms woven in, nor table cloths and napkins of crash with coloured borders....	30 p.c.
	(b) Articles wholly of flax or hemp, such as sheets, pillow cases, table cloths and napkins, towels and handkerchiefs, but not to include towels or glass cloths of crash or huck, with or without lettering or monograms woven in, nor tablecloths and napkins of crash with coloured borders.....	30 p.c.
541a	Woven fabrics, wholly of jute, n.o.p.....	22½ p.c.
551c	Yarns and warps composed wholly of hair, or of hair and any vegetable fibre, imported by manufacturers for use in their own factories..... and per pound	12½ p.c. 15 cts.
553a	Stereotypers' and typecasters' blankets or blanketing and press blankets or blanketing used for printing presses, of a class or kind not made in Canada.	5 p.c.
558e	Yarns and warps, wholly of thrown silk in the gum, rovings, yarns and warps, wholly of spun silk, not coloured, imported by manufacturers for use exclusively in their own factories for knitting underwear, for weaving, or for the manufacture of silk thread.....	7½ p.c.
586	Coal, anthracite, n.o.p..... per ton	50 cts.
598a	Brass band instruments, of a class or kind not made in Canada; bagpipes and complete parts.....	25 p.c.
605	Leather produced from East India tanned kip, uncoloured or coloured other than black, when imported for use exclusively in lining boots and shoes; genuine reptile leathers.....	15 p.c.
605a	Genuine pig leathers and genuine Morocco leathers; so-called roller leathers...	25 p.c.
689	Charcoal, animal, for use in the refining of sugar.....	25 p.c.

SCHEDULE V

PART II

No. of Canadian Tariff Item	Article	Margin of Preference
ex 377a) et al.)	Wrought iron in the form of billets, bars, rods, sheets, strips, plates or skelp..	20 p.c.
ex 378	Bars and rods, of iron or steel; billets, of iron or steel, weighing less than 60 pounds per lineal yard:— (d) Hot rolled, valued at not less than 4 cents per pound, n.o.p.....	12½ p.c.
ex 379	Bars or rods, of iron or steel, including billets weighing less than 60 pounds per lineal yard, hot rolled, as hereunder defined, under regulations prescribed by the Minister:— (f) Sash or casement sections of iron or steel, hot or cold rolled, not punched, drilled nor further manufactured, when imported by manufacturers of metal window frames, for use in their own factories.....per ton	\$7.00
ex 380	Plates of iron or steel, hot or cold rolled:— (b) More than 66 inches in width, n.o.p.....per ton	\$6.00
ex 381	Sheets, of iron or steel, hot or cold rolled:— (a) .080 inch or less in thickness, n.o.p.....	12½ p.c.
ex 383	Sheets, plates, hoop, band or strip, of iron or steel:— (a) Coated with tin, of a class or kind not made in Canada, n.o.p..... (b) Coated with tin, n.o.p..... (c) Coated with zinc, n.o.p.....	15 p.c. 20 p.c. 12½ p.c.
385a	Sheets, plates, hoop, band or strip, of rust, acid or heat resisting steels, hot or cold rolled, polished or not, valued at not less than five cents per pound..	20 p.c.
ex 386	Sheets, plates, hoop, band or strip, of iron or steel, as hereunder defined, under regulations prescribed by the Minister:— (a) Plates, when imported by manufacturers for use exclusively in the manufacture or repair of the pressure parts of boilers, pulp digesters, steam accumulators and vessels for the refining of oil, in their own factories.....per ton (k) Sheets, hot or cold rolled, when imported by manufacturers of hollow-ware coated with vitreous enamel or of apparatus designed for cooking or for heating buildings, for use exclusively in the manufacture of hollow-ware coated with vitreous enamel or of vitreous enamelled sheets for apparatus designed for cooking or for heating buildings..... (m) (i) Sheets of iron or steel, cold rolled, when imported by manufacturers for use exclusively in the manufacture of sheets coated with tin..... (ii) Sheets, hoop, band or strip, of iron or steel, hot rolled, when imported by manufacturers for use exclusively in the manufacture of sheets, hoop, band or strip, coated with zinc or other metal or metals, not including tin, in their own factories.... (q) Hoop steel, hot or cold rolled, plain or coated, .064 inch or less in thickness, not more than three inches in width, when imported by manufacturers of barrels or kegs or by manufacturers of flat hoops for barrels and kegs, for use exclusively in their own factories.....	\$5.00 10 p.c. 15 p.c. 15 p.c. 12½ p.c.
387c	Steel grooved (or girder) rails for electric tramway use, weighing not less than 75 pounds per lineal yard, punched, drilled, or not, of shapes and lengths not made in Canada.....per ton	\$7.00
388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zeos and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including interlocking sections, if any, used therewith, n.o.p.....per ton	\$3.00
ex 392) 392a)	Forgings of iron or steel, in any degree of manufacture, hollow, machined or not, not less than 12 inches in internal diameter; and all other forgings, solid or otherwise, in any degree of manufacture, of a weight of 20 tons or over	20 p.c.
393	Tires, of steel, in the rough, not drilled or machined in any manner, for railway vehicles, including locomotives and tenders.....	10 p.c.

No. of Canadian Tariff Item	Article	Margin of Preference
ex 394	Axles and axle bars, n.o.p., and axle blanks, and parts thereof, of iron or steel:— (a) For railway vehicles, including locomotives and tenders.....	17½ p.c.
ex 397b) 398a)	Pipes and tubes of iron or steel, seamless, cold drawn, plain ends, polished, valued at not less than five cents per pound; steel tubes, welded or seamless, more than 10½ inches in diameter, with plain ends, when imported for use exclusively in the manufacture or repair of rolls for papermaking machinery.	15 p.c.
ex 401	Wire, of iron or steel:— (a) Barbed fencing, coated or not (b) Twisted, braided or stranded, including wire rope or cable, coated or not, n.o.p.....	10 p.c. 10 p.c.
ex 403	Wire, of steel:— (c) Valued at not less than 2¾ cents per pound, when imported by manufacturers of wire rope for use exclusively in the manufacture of wire rope, in their own factories, under regulations prescribed by the Minister.....	5 p.c.

SCHEDULE VI

(See Article 15)

	Commodity	Margin of Preference
(1) The Bahamas, Barbados, Bermuda, British Guiana, British Honduras, Jamaica (including the Turks and Caicos Islands and the Cayman Islands), the Leeward Islands, Trinidad and Tobago, the Windward Islands, Fiji, the Federated and Unfederated Malay States, Mauritius and Northern Rhodesia.	Rubber boots and shoes and canvas boots and shoes, rubber-soled.	1s. per pair (or the equivalent in the local currency), that is to say, the General Rate to be the Preferential <i>ad valorem</i> rate, if any, plus 1s. per pair specific duty.
(2) All the Colonies and Protectorates, except Bermuda (so long as the importation of motor vehicles is prohibited), Northern Rhodesia, and Trinidad, mentioned in (1) above, and also Ceylon, Hong Kong, Malta and the Straits Settlements.	Motor vehicles.....	20 per cent. <i>ad valorem</i> .
(3) All the Colonies and Protectorates mentioned in (2) above except the Straits Settlements and Hong Kong.	Parts of motor vehicles, including rubber tyres.	20 per cent. <i>ad valorem</i> .
(4) All the Colonies and Protectorates mentioned in (1) above except Fiji, the Federated and Unfederated Malay States, Mauritius and Northern Rhodesia.	Hosiery of cotton or artificial silk.	6d. per pair, that is to say, the General Rate to be the Preferential <i>ad valorem</i> rate, if any, plus 6d. per pair specific duty.
	Hosiery of silk.....	9d. per pair, that is to say, the General Rate to be the Preferential <i>ad valorem</i> rate, if any, plus 9d. per pair specific duty.
	Butter.....	1½d. per lb.
(5) The Bahamas.....	The preferential drawback of 25 per cent. of certain Customs duties to be increased to 50 per cent. of those Customs duties.
(6) Barbados, Bermuda and Trinidad.....	Electrical appliances and apparatus.	15 per cent. <i>ad valorem</i> .
	Bacon and ham.....	½d. per lb.
(7) Barbados, British Guiana, the Leeward Islands (Antigua only) and Trinidad.	The tariff treatment of pitch pine to be assimilated to that of other wood and timber and a margin of preference of not less than 10s. per 1,000 feet to be established.	
(8) Barbados, Jamaica and Trinidad.....	Condensed milk.....	10 per cent. <i>ad valorem</i> (or the equivalent specific rate).
	Shooks.....	10 per cent. <i>ad valorem</i> .
(9) Barbados and British Honduras.....	Potatoes and onions....	2s. per 100 lbs.
(10) Barbados.....	Oats.....	9d. per 100 lbs.
(11) Bermuda, Jamaica (including the Turks and Caicos Islands, and the Cayman Islands), the Leeward Islands and the Windward Islands.	Hardware.....	10 per cent. <i>ad valorem</i> .
(12) Bermuda.....	Eggs.....	2d. per dozen.
	Canned meat.....	10 per cent. <i>ad valorem</i> .
	Canned fruit and canned vegetables.	15 per cent. <i>ad valorem</i> .
	Furniture.....	10 per cent. <i>ad valorem</i> .

	Commodity	Margin of Preference
(13) Jamaica.....	Apparel of all kinds (other than hosiery).	10 per cent. <i>ad valorem</i> .
	Wood and timber.....	10 per cent. <i>ad valorem</i> .
(14) Ceylon.....	Bacon and ham.....	10 per cent. <i>ad valorem</i> .
	Canned fruit and vegetables.	15 per cent. <i>ad valorem</i> .
	Canned fish.....	15 per cent. <i>ad valorem</i> .
(15) Cyprus.....	Butter, cheese, tinned fish, and timber.	One-third of the duty in lieu of one-sixth.
(16) The Federated and Unfederated Malay States...	Condensed milk.....	10 per cent. <i>ad valorem</i> .
	Printing and wrapping paper.	10 per cent. <i>ad valorem</i> .
	Canned fruit and canned vegetables.	15 per cent. <i>ad valorem</i> .
	Canned fish.....	15 per cent. <i>ad valorem</i> .
	Electric batteries for use in motor cars.	15 per cent. <i>ad valorem</i> .
	Confectionery.....	10 per cent. <i>ad valorem</i> .
(17) Fiji.....	Timber, dressed and un- dressed.	2s. per 100 super. feet.
(18) Malta.....	Wheat flour.....	2s. per 100 kilog.
(19) Mauritius.....	Bacon and ham.....	5 rupees per 100 kilog.
	Cheese.....	10 per cent. <i>ad valorem</i> .
	Canned fish.....	15 per cent. <i>ad valorem</i> .
	Electric stoves and household appliances.	15 per cent. <i>ad valorem</i> .
(20) Northern Rhodesia.....	Electrical batteries and accumulators.	15 per cent. <i>ad valorem</i> .
	Boxes, wooden, empty, or in shooks.	10 per cent. <i>ad valorem</i> .
	Wood, unmanufactured, including ceiling and flooring boards.	10 per cent. <i>ad valorem</i> .
	Newsprint paper; wrap- ping paper; unspecified plain or composite paper.	10 per cent. <i>ad valorem</i> .
	Motor trucks, etc., as specified in Tariff Items 130 (a) and (b).	10 per cent. <i>ad valorem</i> .
	Motor cars, chassis and rubber pneumatic tyres and tubes of Canadian origin.	To be admitted at the same rates as those of United Kingdom or- igin under Tariff Items 129 (a) and (c) and 260.
(21) Sarawak.....	Condensed milk.....	10 per cent. <i>ad valorem</i> .

SCHEDULE VII

(See Article 15)

Number of Canadian Tariff Item	Article	Margin of Preference
ex 39a	Sago and tapioca flour.....per pound	$\frac{1}{2}$ ct.
77b	Vanilla beans, crude only.....	10 p.c.
ex 87	(n) Tomatoes.....per pound	2 cts.
143	Cigars.....per pound	50 cts.
ex 254	Gums, viz:—copal, damar, gum chicle or sappato gum, crude.....	10 p.c.
264	Essential oils, n.o.p., including bay oil, otto of limes and peppermint oil.....	7 $\frac{1}{2}$ p.c.
267b	Petroleum tops; blends of petroleum tops or petroleum products with crude petroleum; all the foregoing .7249 specific gravity (63·7 A.P.I.) or heavier, at 60 degrees Fahrenheit, when imported by oil refiners to be refined in their own factories.....per gallon	1 ct.
ex 273	Asphalt or asphaltum, solid.....	10 p.c.
277	Palm and palm kernel oil, unbleached or bleached, not edible; shea butter..	10 p.c.
278	Oils, viz:—cocoanut, palm and palm kernel, not edible, for manufacturing soap; carbolic or heavy oil.....	10 p.c.
278c	Cocoanut oil, not edible, when imported for use in the manufacture of refined cocoanut oil.....	10 p.c.
616a	Balata, crude, unmanufactured.....	10 p.c.
616b	Gutta percha, unmanufactured.....	10 p.c.
	<hr/> In item 106 (b), fruits, prepared . . . pineapples, British Preferential rate not to exceed 1 cent per pound.	

LETTER No. 1

OTTAWA, February 23, 1937.

SIR,

With reference to Article 16 of the Trade Agreement signed this day, I have the honour to inform you that the Canadian Government, having taken note of the statements of the United Kingdom Government in the course of the recent discussions:

- (1) that it is essential to the national security that the production of the zinc smelting industry in the United Kingdom should be maintained at a satisfactory level;
- (2) that at any enquiry into the question of the effects of imports of zinc from overseas Empire countries on the maintenance of the production of zinc in the United Kingdom at a satisfactory level having regard to the needs of national security, the Canadian zinc producers would have the opportunity of submitting evidence, and
- (3) that the Government of the United Kingdom would consult the Canadian Government before taking any decision to impose a customs duty on imports of Canadian zinc into the United Kingdom,

agree that it will be open to the United Kingdom Government, after such enquiry and after consultation with the Canadian Government, and notwithstanding the provisions of Article 1 of the Trade Agreement, to impose a customs duty on imports of zinc produced or manufactured in Canada, without prejudice however, to the provisions of Article 3 of the Agreement.

It is understood that no customs duty will be imposed on Canadian zinc which is not equally applicable to zinc from other overseas Empire sources.

I have the honour to be,

Sir,

Your obedient servant,

W. L. MACKENZIE KING

Sir Francis L. C. Floud, K.C.B.,
High Commissioner in Canada for
His Majesty's Government in the
United Kingdom,
Ottawa.

LETTER No. 2

OTTAWA, February 20, 1937.

SIR,

During the negotiations in London last summer, representations were made by the United Kingdom authorities to the effect that in certain cases tariff preferences accorded the United Kingdom by Canada had been rendered less effective than had been expected by reason of the drawbacks of duty for home consumption authorized by Schedule B to the Customs Tariff. At that time the Minister of Finance, promised, on behalf of the Canadian Government, that fuller consideration would be given to the proposal of the United Kingdom that the preferential principle of tariff treatment be applied to the Drawback Schedule.

Since the return of the Canadian delegation, the competent Departments of the Canadian Government have been studying the United Kingdom proposals, and such examination as has been made to date of the operation of Schedule B justifies the position taken in London by the Minister of Finance: that to apply suddenly a preferential scheme to the entire existing Schedule might, in many instances, work hardship upon Canadian consumers without necessarily ensuring any added advantage to United Kingdom interests.

Close examination of the existing Schedule reveals that frequently the home consumption drawback applies to raw materials imported for use in the manufacture of non-protected finished products, and in such instances the effect of abolishing or even restricting the full privilege of drawback might easily be disastrous to the industry concerned. There is the further fact that several of the items in the Schedule appear to have become inoperative (insofar as may be judged by the absence of claims thereunder), and such items are now the subject of review by the Canadian Government with a view to their possible cancellation. There is also to be borne in mind the fact that, under the last two or three Budgets, an effort has been made not merely to afford margins of preference by way of drawbacks, but actually to confine the operation of certain new drawback items to importations under the British Preferential Tariff.

The provision for home consumption drawbacks in the Canadian tariff is not one which this Government desires to see extended; on the contrary, were it feasible to do so immediately and at one stroke, the Government would prefer to dispense with the granting of such drawbacks, the administration of which is always costly and frequently difficult. To that end, as indicated, the Canadian Government already contemplates reducing the Schedule; and in this connection—and toward the same objective—it will undertake to give prompt and sympathetic consideration to any requests that may from time to time be put forward by the Government of the United Kingdom regarding the continuance or the operation of any particular item in the Schedule.

I have the honour to be,

Sir,

Your obedient servant,

W. L. MACKENZIE KING

Sir Francis L. C. Floud, K.C.B.,
High Commissioner in Canada for
His Majesty's Government in the
United Kingdom,
Ottawa.

ANNEX

(See ARTICLE 3)

APPENDICES B AND C OF THE REPORT OF THE UNITED KINGDOM IMPORT DUTIES ADVISORY COMMITTEE ON THE WORKING OF THE AGREEMENTS CONCLUDED AT THE IMPERIAL ECONOMIC CONFERENCE AT OTTAWA REGARDING LEAD AND ZINC.

(Cmd. 4983)

NOTE: The following recommendations were accepted by the Governments concerned and applied by the Import Duties (General Ad Valorem Duty Reduction) (No. 1) Order, 1935, effective August 27th, 1935.

APPENDIX B

LEAD

PROPOSALS FOR THE MODIFICATION OF THE IMPORT DUTY ON LEAD AND THE PROVISIONS OF THE OTTAWA AGREEMENTS RELATING THERETO.

The Governments of the United Kingdom, Canada, Australia and India should be asked to agree to the suspension of the provisions of the Ottawa Agreements relating to lead, and to the following arrangements being brought into operation at the earliest possible date:—

(1) In substitution for the present customs duty of 10 per cent ad valorem on lead of non-Empire origin entering the United Kingdom there should be imposed a duty of 7s. 6d. per ton subject to the following provisions.

(2) At any time after the commencement of the duty, representatives of United Kingdom producers, of other Empire producers, of United Kingdom consumers and of the London Metal Exchange, either jointly or separately or any section thereof, may approach the Import Duties Advisory Committee in regard to any matters relating to these arrangements, and it will be open to the Committee, after enquiry, to recommend such variation in the arrangements as appears to them desirable. In particular, following such enquiry, the Committee may, after the expiration of a period of twelve months, recommend the suspension of the duty either wholly or in part, if they are satisfied that the price of good soft pig lead, as indicated by the London Metal Exchange daily settlement price (duty for buyer's account), is likely for a reasonable time to remain at not less than £13 a ton.

Provided that in considering any such matters the Committee shall have regard to the principle embodied in the relative clauses of the Ottawa Agreements, viz., of assuring to the Empire producers overseas a preferential position in supplying the needs of the United Kingdom market without at the same time imposing a handicap on United Kingdom trade and commerce.

(3) Arrangements shall be made in accordance with the supplementary provisions appended hereto for mitigating any adverse effects on the trade and commerce of the United Kingdom.

SUPPLEMENTARY PROVISIONS.

1. While the duty is in operation the Committee of the London Metal Exchange undertake:—

- (a) to maintain the existing provision in the Standard Contract for “Good Soft Pig Lead” that the duty payable is for buyer’s account;
- (b) to amend the above mentioned Standard Contract so as to enable sellers, at their option, to deliver Empire brands of lead at a premium above the London Metal Exchange contract price equal to the rate of duty for the time being in force.

2. The agreement between representatives in the United Kingdom of Empire producers of lead and certain United Kingdom consumers dated July, 1933, shall be abrogated as from the date of first imposition of the duty of 7s. 6d. per ton.

3. The producers and consumers, recognizing that it is in the interest of both parties to make the London Metal Exchange an effective market for lead, will transact more business through the Exchange.

4. During periods when a duty is in force arrangements shall be made between the representatives of the producers and the United Kingdom consumers whereby the former will provide, in respect of exported goods in which the cost of lead is an important consideration, for the payment of a rebate equivalent to the duty on the lead used therein, irrespective of its origin.

5. The producers and consumers agree that it is in their joint interest to support one another and that they should not act in a manner calculated to prejudice the interests of each other. In particular, the Empire producers overseas undertake not to supply manufacturing consumers within their domestic territories at more favourable price than United Kingdom consumers, and to take all reasonable steps in their power to see that United Kingdom manufacturing consumers are not prejudiced by the action of other Empire manufacturing consumers.

In the event of negotiations taking place for the regulation of the world production of lead, the producers will, in such negotiations, safeguard the interests of the United Kingdom manufacturing consumers, who, on their part, will take all reasonable steps to assist the producers and promote their interests.

APPENDIX C.

ZINC.

PROPOSALS FOR THE MODIFICATION OF THE IMPORT DUTY ON ZINC AND THE PROVISIONS OF THE OTTAWA AGREEMENTS RELATING THERETO.

The Governments of the United Kingdom, Canada and Australia should be asked to agree to the suspension of the provisions of the Ottawa Agreements relating to zinc, and to the following arrangements being brought into operation at the earliest possible date:—

(1) In substitution for the present customs duty of 10 per cent ad valorem on zinc of non-Empire origin entering the United Kingdom there should be imposed a duty of 12s. 6d. per ton subject to the following provisions.

(2) At any time after the commencement of the duty, representatives of United Kingdom producers, of other Empire producers, of United Kingdom consumers and of the London Metal Exchange, either jointly or separately or any section thereof, may approach the Import Duties Advisory Committee in regard to any matters relating to these arrangements, and it will be open to the Committee, after enquiry, to recommend such variation in the arrangements as appears to them desirable. In particular, following such enquiry, the Committee may, after the expiration of a period of twelve months, recommend the suspension of the duty either wholly or in part, if they are satisfied that the price of zinc, as indicated by the London Metal Exchange daily settlement price (duty for buyer's account), is likely for a reasonable time to remain at not less than £15 a ton.

Provided that in considering any such matters the Committee shall have regard to the principle embodied in the relative clauses of the Ottawa Agreements, viz., of assuring to the Empire producers overseas, a preferential position in supplying the needs of the United Kingdom market without at the same time imposing a handicap on United Kingdom trade and commerce.

(3) Arrangements shall be made in accordance with the supplementary provisions appended hereto for mitigating any adverse effects on the trade and commerce of the United Kingdom.

SUPPLEMENTARY PROVISIONS.

1. While the duty is in operation the Committee of the London Metal Exchange undertake:—

- (a) to maintain the existing provisions in the Standard Contract for "Virgin Spelter" that the duty payable is for buyer's account;
- (b) to amend the above-mentioned Standard Contract so as to enable sellers, at their option, to deliver Empire brands of zinc at a premium above the London Metal Exchange contract price equal to the rate of duty for the time being in force.

2. The price of Empire electrolytic brands of zinc of a purity of 99·9 per cent up to, but not including, 99·99 per cent shall not exceed £2 10s. per ton above the mean of the London Metal Exchange spot and forward quotations.

3. The producers and consumers, recognizing that it is in the interest of both parties to make the London Metal Exchange an effective market for zinc, will transact more business through the Exchange.

4. The producers and consumers agree that it is in their joint interest to support one another and that they should not act in a manner calculated to prejudice the interests of each other. In particular, the Empire producers overseas undertake not to supply manufacturing consumers within their domestic territories at more favourable prices than United Kingdom manufacturers of similar products, and to take all reasonable steps in their power to see that United Kingdom manufacturing consumers are not prejudiced by the action of other Empire manufacturing consumers.

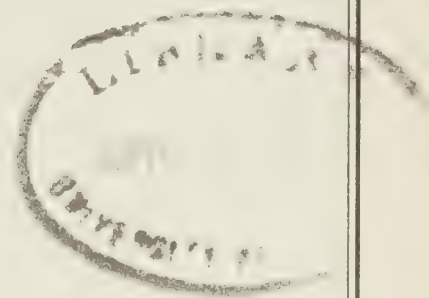
In the event of negotiations taking place for the regulation of the world production of zinc, the producers will, in such negotiations, safeguard the interests of the United Kingdom manufacturing consumers who, on their part, will take all reasonable steps to assist the producers and promote their interests.

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CANADA

TREATY SERIES, 1937

No. 15



TRADE AGREEMENT

BETWEEN

CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington April 23, 1932

IN FORCE MAY 24, 1932

Extended in May and November, 1933, for six months, in May, 1934,
for a period of one year and in May, 1935, for a
new period of six months

Extended and modified in November, 1935, until July 31, 1936

Extended in July, 1936, until September, 1937, as
modified in November, 1935

Further modified in September, 1937, and extended until
September 30, 1938, as modified in November, 1935



OTTAWA

J. O. PATENAUDE, I.S.O.

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1938

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TRADE AGREEMENT

BETWEEN

CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington April 23, 1932

IN FORCE MAY 24, 1932

Extended in May and November, 1933, for six months, in May, 1934,
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modified in November, 1935

Further modified in September, 1937, and extended until
September 30, 1938, as modified in November, 1935



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1938

TRADE AGREEMENT BETWEEN CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington April 23, 1932

IN FORCE MAY 24, 1932

See Treaty Series 1932, No. 2

This Agreement was extended for 6 months in May and November, 1933, for a period of one year in May, 1934, and for a new period of six months in May, 1935, by the following Orders in Council:—

P.C. 1016, May 23, 1933.

See Canada Gazette Extra, May 23, 1933.

P.C. 2283, November 1, 1933.

See Canada Gazette Extra, November 4, 1933.

P.C. 978, May 10, 1934.

See Canada Gazette Extra, May 11, 1934.

P.C. 1234, May 10, 1935.

See Canada Gazette Extra, May 18, 1935.

Extended and modified in November, 1935, until July 31, 1936, by the following Order in Council:—

P.C. 3579, November 14, 1935.

See Canada Gazette Extra, November 21, 1935.

Extended in July, 1936, until September 30, 1937, as modified in November, 1935, by the following Order in Council:—

P.C. 1891, July 23, 1936.

See Canada Gazette Extra, July 29, 1936.

Further modified in September, 1937 (P.C. 2416, September 29, 1937), and extended until September 30, 1938 (P.C. 2415, September 29, 1937), as modified in November, 1935.

See Canada Gazette Extra, October 1, 1937.

CANADA

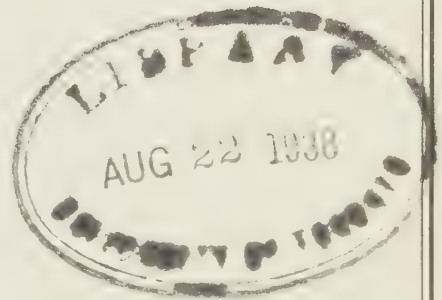
TREATY SERIES, 1937

No. 16

POSTAL CONVENTION
OF THE
AMERICAS AND SPAIN
AND
RELATIVE DOCUMENTS

Signed at Panama, December 22, 1936

CANADIAN RATIFICATION DEPOSITED AT PANAMA
MAY 27, 1937



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1938

Price, 25 cents

POSTAL CONVENTION
OF THE
AMERICAS AND SPAIN
AND
RELATIVE DOCUMENTS

Signed at Panama, December 22, 1936



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

POSTAL CONVENTION OF THE AMERICAS AND SPAIN

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(Translation)

POSTAL CONVENTION OF THE AMERICAS AND SPAIN

CONCLUDED BETWEEN

CANADA, ARGENTINA, BOLIVIA, BRAZIL, CHILE, COLOMBIA, COSTA RICA, CUBA, DOMINICAN REPUBLIC, ECUADOR, GUATEMALA, HAYTI, HONDURAS, MEXICO, NICARAGUA, PANAMA, PARAGUAY, PERU, SALVADOR, SPAIN, UNITED STATES, URUGUAY AND VENEZUELA.

The Undersigned, Plenipotentiaries of the Governments of the Countries above enumerated, assembled in Congress in the City of Panama, Republic of Panama, availing themselves of the powers conferred upon them by Article 5 of the Convention of the Universal Postal Union and actuated by the desire to extend and improve their postal relations and ensure a solidarity of action in Universal Postal Congresses as an effective means of promoting their common interests in regard to postal communications, have determined to conclude, subject to ratification, the following Convention:—

ARTICLE 1

Postal Union of the Americas and Spain

In accordance with the foregoing declaration, the contracting countries constitute, under the title of Postal Union of the Americas and Spain, a single postal territory.

ARTICLE 2

Restricted Unions

1. The Contracting Parties, whether on account of their adjacent location or on account of the importance of their postal relations, may establish closer unions among themselves, with a view to reducing rates or introducing other improvements in any of the services referred to in this Convention or in the special Agreements concluded by this Congress.

2. Likewise, concerning matters not covered by this Convention or by that of the Universal Postal Union, the signatory countries may adopt among themselves such resolutions as they may deem necessary, through correspondence, or, if necessary, by concluding a special Agreement in accordance with the authority conferred upon them by the provisions of this Article or by their domestic legislation.

ARTICLE 3

Freedom and Gratuity of Transit

1. Territorial, fluvial and maritime transit is absolutely gratuitous throughout the territory of the Postal Union of the Americas and Spain; consequently, a contracting country shall transport across its territory and convey by the ships of its registry or flag, utilized for the transportation of its own mail, without any charge whatsoever to the other contracting countries, all mail matter which the latter may dispatch to any destination whatsoever.

2. In cases of reforwarding, the contracting parties are bound to reforward the mail by the ways and means which they utilize for their own dispatches.

ARTICLE 4

Definition of Mail Matter

1. The provisions of this Convention shall apply to letters, single and reply-paid postcards, printed matter of all kinds, commercial papers, samples without value, small packets, insured articles and insured articles of small value.

2. The services covering small packets, insured articles and insured articles of small value shall be limited to the countries agreeing to maintain such services reciprocally or in one direction only.

ARTICLE 5

Postage Rates

1. The domestic postage rates of each country shall apply in the relations of the countries constituting the Postal Union of the Americas and Spain, except in cases where the said domestic rates are higher than those applicable to mail destined to countries of the Universal Postal Union, in which case the latter shall apply.

2. International rates shall also apply in the case of services which do not exist in the domestic system.

3. In regard to small packets and insured articles of small value, respectively, the rates provided by Article 6 of this Convention shall apply.

ARTICLE 6

Small Packets

1. In the optional small packet service provided for by Article 4 of this Convention, no packet shall weigh over one kilogram or contain articles, the commercial value of which at place of mailing exceeds 10 gold francs or the equivalent thereof in the currency of the country of origin.

2. The Administrations operating the small packet service established by the Universal Postal Convention are not obliged to comply, in their reciprocal relations, with any provisions which conflict with those of the Universal Convention in relation to small packets.

3. Small packets of any kind exchanged between one country and another of the Postal Union of the Americas and Spain, in view of their not being liable to the payment of transit charges, shall be subject to prepayment at the domestic parcel post rates in force in each country; or the Administrations concerned may apply the rates prescribed by the Universal Postal Convention.

4. The Administration of the country of destination may submit small packets to customs regulations in accordance with the provisions of its domestic legislation.

5. The Administration of the country of destination may collect the following rates from the addressees of small packets:—

- (a) a customs clearance charge not exceeding 50 gold centimes;
- (b) a delivery charge not exceeding 15 gold centimes for each packet; this charge may be increased up to 30 gold centimes in the case of delivery at domicile.

6. The delivery charges provided by paragraph (b) of Section 5 of this Article shall not apply in cases where a small packet is considered exempt from duty by the Customs of the country of destination.

ARTICLE 7

Insured Articles of Small Value

1. An optional service, designated as "Insured Articles of Small Value," may be established by the contracting countries for the reciprocal exchange of letters containing paper money or its equivalent, or other valuable documents, insured up to the amount of the declared value, which shall not exceed 50 gold francs for each letter.

Any other article mentioned in Article 4 of this Convention may be accepted by this service, with the exception of small packets.

2. Postage on insured articles of small value above specified shall be fully prepaid by the sender and shall consist of the following:—

- (a) postage, plus the fixed charge applicable to a registered article in the domestic service of each country;
- (b) an insurance charge of 10 gold centimes for each 10 gold francs or fraction thereof of the declared value.

3. The declared value must be equal to the actual value of the article. The amount of the declared value of documents the value of which is represented by the cost of their preparation, shall not exceed the actual cost of replacement in case of loss.

4. The Administrations operating this service shall be responsible for any loss of or damage to such articles up to the amount of the actual loss or damage, the limit not to exceed, however, the sum of 50 gold francs.

5. The Administrations of the Postal Union of the Americas and Spain which do not operate such a service shall assume, nevertheless, responsibility for such articles, in transit, in closed dispatches, as provided by the said Union for registered mail.

6. The contracting countries which desire to establish the said service and are already signatories of the Universal Postal Convention covering Insured Articles, shall apply, in their reciprocal relations, the universal tariff provided for insured letters only when the value exceeds 50 gold francs.

7. The Administrations which have agreed to operate the said service shall take all necessary measures for extending it, as far as possible, to all post offices in their respective countries.

8. Except in the case of agreements to the contrary covering the exchange of insured articles of small value dealt with in this Article, the various post offices of the contracting Administrations may make use of envelopes and other forms utilized in their respective domestic services; bulletins of verification, records, way bills, as well as any entries on these or any other documents concerning insured articles of small value, may be made out in the language of the respective countries utilizing them.

ARTICLE 8

Reply Coupons

1. In the countries of the Postal Union of the Americas and Spain the sale price, to the public, of reply coupons shall be 20 gold centimes per unit or the equivalent thereof in the currency of the issuing country.

2. Each coupon is exchangeable in any country of the said Union for postage stamps to the value of 15 gold centimes in the currency of the country where the exchange is made.

3. The difference of 5 centimes shall be retained by the issuing country.

4. A special form of reply coupon is provided for use in the countries of the Postal Union of the Americas and Spain; it is to be printed and sold to the said countries by the International Bureau of Montevideo.

ARTICLE 9

Registered Mail—Responsibility

1. The articles specified in Article 4 may be registered upon payment of a fee equal to that fixed in the domestic service of the country of origin, except where the domestic rate is higher than that of the Universal Postal Convention, in which case the latter shall apply.

2. Except when due to *force majeure*, the contracting Administrations shall be responsible for the loss of any registered article. The sender shall be entitled to an indemnity not exceeding the sum of 10 gold francs or the equivalent thereof in the currency of the country paying such indemnity.

3. The Administrations shall, however, be relieved of all responsibility for the loss of registered articles whose contents come within the prohibitions specified in Article 15 of this Convention or which are prohibited by the laws or regulations of the country of origin or of destination, provided the country in question has given due notice through the usual channels.

4. An optional group of registered articles is hereby established, not entitled to indemnity, which shall include books, periodicals and other printed matter, commercial papers and samples of no value, subject to payment, in addition to ordinary postage rates, of a reduced fee set by the Administrations concerned. This new registration service shall be limited to exchange with the Administrations which have adopted it. In order to indicate their special character, the articles shall bear the letters "S.I." (sin indemnización—no indemnity), the same letters being entered under the heading "Remarks" in the descriptive lists, and on the forms sent for investigation purposes concerning the disposal of said articles.

5. The Administrations which adopt, in a general manner, a reduced registration fee for all articles exclusive of letters and postcards, shall not be required to comply with the rules prescribed in the last part of the preceding Section.

ARTICLE 10

Compulsory Prepayment

1. Except for letters in their usual or ordinary form, full prepayment of all classes of mail, including sealed parcels, is compulsory.

2. Sealed parcels and other articles not or insufficiently prepaid shall be held at the office of origin, which shall treat them as prescribed by domestic legislation.

3. Insufficiently prepaid letters shall be subject to the collection of double the amount of the deficiency, upon delivery to the addressee.

4. Newspapers, magazines and other periodicals accepted in the country of origin and on which postage has been paid in cash, shall be delivered free of any charge in the country of destination.

ARTICLE 11

Weight and Dimensions

The limit of weight and dimensions of the various articles of mail shall be the same as those prescribed by the Universal Postal Convention, except in the case of printed matter, the weight limit of which shall be 5 kilograms, or 10 kilograms for a publication made up in one single volume. In regard to articles weighing over 5 kilograms and up to 10 kilograms, for publications not made up in one single volume, their acceptance shall be subject to agreements previously concluded between the Administrations concerned.

ARTICLE 12

Unclaimed Articles

Ordinary postcards, printed matter and samples of no value which for any reason have not been delivered, shall be destroyed or treated in accordance with the regulations in force in the country of destination unless they bear a request for return, as well as the name and address of the sender, in which case they shall be returned to the country of origin.

ARTICLE 13

Exemptions from Postage

1. The Contracting Parties agree to exempt from postal charges, both in their domestic service and in the Spanish-American service:

- (a) all mail on postal service matters exchanged between the Administrations of the Postal Union of the Americas and Spain; between the said Administrations and the International Bureau of Montevideo; between the said Administrations and the Transshipment Office of Panama; between the latter and the International Bureau; between the post offices of the Spanish-American countries; and between the said post offices and the Postal Administrations of the said countries;
- (b) all mail of the members of the diplomatic corps of the signatory countries;
- (c) official mail forwarded by the consuls to their respective countries; mail exchanged between the various consuls; mail addressed by the consuls to the Government of the country to which they are accredited or to their respective embassies and legations, in all cases where reciprocal relations exist;
- (d) newspapers, periodicals, books, booklets and other printed matter addressed by the publishers or authors to information offices established by the Postal Administrations of the Postal Union of the Americas and Spain, as well as publications supplied free of charge to libraries and other national centres of culture, officially recognized as such by the Governments of the countries belonging to the Union;
- (e) official mail forwarded or received by the Pan-American Union in Washington.

2. Official mail of the central governments of the countries belonging to the Postal Union of the Americas and Spain and enjoying franking privileges in the domestic system of their respective countries, shall be granted the same privilege in the country of destination, without any charge whatsoever, provided reciprocal treatment is strictly adhered to.

3. Exemption from postage shall also be extended to the National Commissions of Intellectual Co-operation appointed under government auspices, in accordance with the Pan-American and Universal Conventions in force.

4. The franking privilege enjoyed by consuls in accordance with the provisions of Section 1, paragraph (c), shall be extended to vice-consuls acting as consuls.

5. All mail matter specified in paragraphs (a), (b) and (c) of Section 1 may also be registered free of charge but without right to indemnity in case of loss, rifling or damage.

6. Mail of the diplomatic corps exchanged between the Secretary of State Departments of their respective countries and their embassies or legations, shall be carried on a reciprocal basis between the two countries and forwarded in open dispatches or diplomatic pouches in accordance with the provisions of Article 106

of the Detailed Regulations. The said pouches shall be exempt from postage and enjoy all the guarantees which apply to official dispatches.

7. The exemptions from postage herein provided shall in no case apply to the air service or to any other special service operated in the Spanish-American establishment or in the domestic services of the contracting countries.

ARTICLE 14

Reduced Rates

All mail matter exchanged between the Boards of National Elementary Schools and similar organizations within the Postal Union of the Americas and Spain shall enjoy a special rate equivalent to 50 per cent of the ordinary rate, provided its weight does not exceed one kilogram and it complies in all cases, with the conditions fixed for their respective postal classification.

Mail of an epistolary nature is excepted.

ARTICLE 15

Prohibitions

1. Without prejudice to any of the provisions of the Universal Postal Convention now in force or to the domestic legislation of any country regarding restrictions relative to the circulation of mail, the following articles shall not be accepted:

- (a) publications endangering public safety and order;
- (b) publications containing offensive or insulting statements against the legally constituted system of government;
- (c) pornographic publications and any other writings or publications considered offensive to morals and decency;
- (d) mail of any kind having for its object the commission of fraud or any other crime against persons or property. Procedure in this connection shall be governed by the domestic legislation of each country;
- (e) publications having for their main purpose the diffusion of communistic principles among the people;
- (f) mail, whether ordinary or registered, containing coin, banknotes or securities payable to bearer, in the absence of agreements to the contrary between the Administrations concerned.

2. If, notwithstanding the provisions of paragraph (f), any articles therein specified have been forwarded in error or otherwise, the Administrations of the country of destination may deliver them to their respective addressees, where domestic legislation permits, subject to the requirements thereof; otherwise, the said articles shall be returned to the country of origin.

ARTICLE 16

Special Services

The High Contracting Parties may, by special agreement or by correspondence, extend to the other countries of the Postal Union of the Americas and Spain the postal services which they now operate or may hereafter establish in their respective countries.

ARTICLE 17

Postage Paid in Cash

The contracting countries have the privilege of adopting the "Postage Paid in Cash" method for the transmission of newspapers or periodicals wrapped or not, including those containing purely commercial publicity or advertisements, provided no reduced rates are applied to the latter.

ARTICLE 18

Official Forms Forwarded by Air Mail

Official forms as provided in the Detailed Regulations of the Universal Postal Convention, covering requests for the withdrawal of mail, notices of change of address and inquiries in regard to any mail article may be forwarded by air mail.

Such forms shall be accepted by the air service only if enclosed in envelopes duly prepaid as air mail correspondence, the Administrations being authorized to collect the postage and surcharges covering prepayment.

All forms thus forwarded shall bear a corresponding note in the upper part of the obverse side of same. They shall be considered as urgent matter and shall, in consequence, be given preferential treatment by the Administrations concerned.

ARTICLE 19

Official Language

Spanish is adopted as the official language for matters relative to the postal service. Any country whose language is not Spanish may, however, use its own.

ARTICLE 20

Protection and Exchange of Postal Employees

1. The Administrations of the contracting countries are obliged, upon request, to co-operate with the officials entrusted with the transportation of mail in transit through their respective countries, and also to extend all facilities to the officials which one Administration may agree to send to another for the purpose of studying the development and improvement of the postal service.

2. The Administrations, acting through the International Bureau of Montevideo, shall conclude agreements among themselves for the annual exchange of officials of equal grade for a period not exceeding two months.

3. Once the said exchange is agreed upon by two Administrations, the latter shall decide upon the apportionment of the expenditure involved and all measures for the settlement of same shall be taken by the intermediary of the International Bureau of Montevideo.

ARTICLE 21

International Transshipment Office

1. There shall continue to be maintained in the Republic of Panama an International Transshipment Office entrusted with the receipt and despatch of all mail which originates in those countries of the Union not operating their own services in the Isthmus, thus entailing transshipment operations in the course of their transmission through same.

2. The said Office shall function in accordance with the regulations agreed upon by the International Bureau of the Postal Union of the Americas and Spain and the Postal Administration of Panama.

3. Any proposal for the amendment of the aforesaid regulations shall be submitted by the Administrations concerned to the International Bureau of Montevideo, which, in turn, shall present it for consideration to the Postal Administration of Panama.

4. The organization and operation of the International Transshipment Office are subject to the supervision and control of the Post and Telegraph Department of Panama and the International Bureau of the Postal Union of the Americas and Spain, which shall act as mediator and arbitrator in any disagreements between the Postal Administration of Panama and the countries availing themselves of the services of the said Office.

5. The officials of the said Office shall be chosen by the Post and Telegraph Department of Panama and shall be ensured permanency, as provided in the official regulations.

6. The cost of maintaining the said Office shall be borne by the countries availing themselves of its services and shall be apportioned on the basis of the number of mail bags exchanged through its intermediary.

The Administration of Panama shall advance the funds required for the maintenance, on an efficient basis, of the services of the said Office.

These amounts shall be reimbursed quarterly by each Administration concerned; any reimbursements not made within a period of six months following the end of each quarter shall bear interest at the rate of 5 per cent per annum; the sums collected in interest shall be added to the maintenance funds of the Transshipment Office.

ARTICLE 22

Arbitration

Any dispute or disagreement arising in the postal relations of the contracting countries shall be settled by arbitration in the manner prescribed by the Universal Postal Convention. The arbitrators shall be selected by the signatory countries and, should the need arise, through the intervention of the International Bureau of the Postal Union of the Americas and Spain.

ARTICLE 23

International Bureau of the Postal Union of the Americas and Spain

1. The central office, situated at Montevideo and known as the International Bureau of the Postal Union of the Americas and Spain, shall function under the supervision of the Post Office Department of the Republic of Uruguay, as a medium of information and consultation for the countries of the Union.

2. The said Bureau is entrusted with the following duties:

- (a) to gather, collate, publish and distribute all data of particular interest to the postal services of the Americas and Spain;
- (b) to give, at the express request of the parties concerned, an opinion upon questions in dispute;
- (c) to give, on its own initiative, or at the request of any of the Administrations of the signatory countries, its opinion on all matters relating to the postal service and affecting or concerning the general interests of the Postal Union of the Americas and Spain;
- (d) to report any proposals made for amendments to the Acts of the Congress and to notify any changes adopted;

- (e) to report the results obtained from the regulative provisions and measures of importance adopted by the Administrations in their domestic services, of which the Bureau has been informed;
- (f) to distribute the postal maps and guides supplied by the respective Administrations; to collect the data required for the preparation and distribution of maps showing the air mail lines of the Americas and Spain;
- (g) to prepare a summary of the postal statistics of the Americas and Spain on the basis of data supplied annually by each Administration;
- (h) to publish a report on the most rapid mail routes connecting the contracting countries;
- (i) to prepare a table giving in detail all free and gratuitous maritime services of the countries of the Postal Union of the Americas and Spain, which may be utilized for the transportation of their mail as prescribed by Article 3;
- (j) to publish the postage rates which apply to the domestic service of each of the countries concerned and the table of equivalents;
- (k) to publish and distribute annually among the countries of the Postal Union of the Americas and Spain a report on the Bureau's activities;
- (l) to carry out any studies or other work requested of the Bureau, in the interest of the contracting countries, relative to social, economic and artistic development. With a view to this, the International Bureau shall always be at the disposal of the said countries by supplying them with any special information they may request on matters relative to the Spanish-American Postal Service;
- (m) to share and collaborate in the organization and the work of the Congresses and Conferences of the Postal Union of the Americas and Spain;
- (n) to distribute among the Administrations of the countries of the Postal Union of the Americas and Spain copies of the postal laws and regulations of each country; in consequence, each of the said Administrations must supply the said Bureau with twenty-five copies of such laws and regulations.

3. The expenditure involved in the preparation of the Annual Report and of the Table of Postal Communications, as well as all expenditure in connection with Conferences or Congresses, shall be met by the Administrations in accordance with the classification established by Article 111 of the Detailed Regulations.

The sums to be spent in connection with the said Conferences and Congresses shall be fixed jointly, in each instance, by the Post Office Department of Uruguay and the International Bureau of Montevideo.

4. The Post Office Department of Uruguay shall finance the operating expenses of the International Bureau of the Postal Union of the Americas and Spain and advance the funds required for that purpose.

5. The sums thus advanced by the Administration of Uruguay shall be repaid by the debtor Administrations with as little delay as possible and, at the latest, before the expiration of six months following the date on which the country concerned will have received the account rendered by the Post Office Department of Uruguay. Any amounts remaining unpaid after that date shall bear interest at the rate of 5 per cent annually, from the date of expiration of the time limit.

6. The contracting countries hereby agree to provide in their budgets an annual sum for the prompt payment of their contribution.

ARTICLE 24

Congresses

1. Congresses shall be held at least every five years from the date of the entry into force of the Convention signed at the preceding one.
2. Each Congress shall set the place and date of the next to be held.

ARTICLE 25

Introduction of Proposals between Meetings

This Convention may be amended between Congresses by following the procedure prescribed by the Universal Postal Convention. To become binding, amendments to this Article and to Articles 1, 2, 3, 4, 5, 8, 9, 12, 13, 18, 21, 22, 23, 24, 26, 28, 29, 30 and 31, require a unanimous vote; amendments to Articles 10, 14 and 15 require two-thirds of the votes, and amendments to all other Articles only require a majority.

ARTICLE 26

Amendments

Amendments or resolutions adopted by the contracting parties, including those of a domestic character but affecting the international service, shall come into force three months after notification of same by the International Bureau of the Postal Union of the Americas and Spain.

ARTICLE 27

Application of the Universal Postal Convention and of Domestic Legislation

1. All matters concerning the exchange of mail among the contracting countries which are not provided for in this Convention shall be subject to the provisions of the Convention in force in the Universal Postal Union and of its Regulations; anything not provided for in the latter shall be the subject of special agreements among the Administrations concerned.

2. Likewise, the domestic legislation of the said countries shall apply to all matters not provided for by either Convention.

ARTICLE 28

Proposals to be Submitted to the Universal Congresses

The countries belonging to the Postal Union of the Americas and Spain shall notify to one another, through the intermediary of the International Bureau of Montevideo, the proposals they intend to submit to the Universal Postal Congresses, six months in advance of the date of such Congresses.

ARTICLE 29

Joint Action at the Universal Postal Congresses

The signatories to the Postal Convention of the Americas and Spain that have ratified it or put its provisions into force shall instruct their delegates to the Universal Postal Congresses to give firm and unanimous support to all the principles laid down by the Postal Union of the Americas and Spain and also to give their votes accordingly, except in cases where the proposals under debate solely affect the countries submitting them.

ARTICLE 30

Preliminary Conferences

1. For the purposes of the provisions of Article 29, the delegates of the countries belonging to the Postal Union of the Americas and Spain shall meet, prior to the Universal Postal Congresses, in the city where the latter are to be held, fifteen days in advance of same for a preliminary conference at which the procedure relating to joint action shall be determined.

2. The International Bureau of the Postal Union of the Americas and Spain shall, in due time, extend an invitation to the Administrations of the Union to attend the said preliminary conferences, which shall be organized by the Director of the International Bureau of Montevideo, who shall be present at such conferences.

ARTICLE 31

New Adhesions

In the case of new adhesions, the Government of the Republic of Uruguay, by common consent with the Government of the country concerned, shall determine the classification of the said country in relation to the apportionment of the cost of maintaining and operating the International Bureau.

ARTICLE 32

Entry into Force and Duration of the Convention. Filing of Ratifications

1. This Convention shall come into force on October 1, 1937, and shall remain in operation for an indefinite period, each contracting party having the right, however, to withdraw from the Union by notice given one year in advance by its Government to the Government of the Republic of Uruguay.

2. The ratifications shall be filed in the City of Panama, in the Republic of Panama, as soon as possible, preferably before the date on which the Convention and Agreements become effective; each ratification shall be recorded and a copy of the record forwarded by the Government of the Republic of Panama, through diplomatic channels, to the Governments of the other signatory countries.

3. The provisions of the Postal Convention of the Americas and Spain sanctioned at Madrid on November 10, 1931, are repealed, such repeal becoming effective on the date on which this Convention comes into force.

4. The non-ratification of this Convention by one or more of the contracting parties shall not invalidate it so far as the countries which have ratified it are concerned.

5. The contracting countries may, by correspondence, provisionally ratify the Convention and the Agreements by so advising the Administrations concerned, through the intermediary of the International Bureau, without prejudice to confirmation through diplomatic channels, in accordance with the domestic legislation of each country and subject to approval by their legislatures.

In faith whereof the Plenipotentiaries of the above-mentioned countries have signed this Convention at Panama, in the Republic of Panama, on the twenty-second day of December, one thousand nine hundred and thirty-six.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Canada:

PETER T. COOLICAN
F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Paraguay:

LUIS S. LUTI

For Peru:

AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:

For Harllee Branch, JOHN E.
LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Uruguay:

HUGO V. DE PENA

For Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

FINAL PROTOCOL TO THE CONVENTION

At the time of signing the Convention concluded by the Fourth Spanish-American Postal Congress, the undersigned Plenipotentiaries have agreed as follows:

I

The United States of America reserves the right to maintain, as a temporary measure, the rates now applicable to the countries of the Postal Union of the Americas and Spain which may be higher than the rates applicable to its domestic services.

II

In regard to Article 29 of the Convention, the United States of America reserves full freedom of action in Universal Postal Union Congresses.

III

Each contracting country undertakes to maintain the privileges now enjoyed by vessels of the other countries of the Postal Union of the Americas and Spain which carry mails free of charge, and, furthermore, to extend to them, in future, all privileges enjoyed by vessels of any other country performing similar services.

IV

Bolivia, Canada, Colombia, the United States of America, Spain, Mexico and Panama make a final reservation to the effect that they do not accept the provisions of paragraphs (b) and (e) of Article 15 of the Convention because they cover matters outside the sphere of Postal Congresses and relate exclusively to the domestic legislation of each country.

V

In regard to Section 1 of Article 21, Bolivia reserves full freedom of action concerning the utilization of the services of the International Trans-shipment Office.

VI

Canada makes a reservation to the effect that it cannot accept the provisions of paragraphs (d) and (e) of Section 1 of Article 13 and of Sections 2, 3 and 6 of the said Article.

Done at Panama, on the 22nd of December, 1936.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Canada:

PETER T. COOLICAN
F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORITZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Paraguay:

LUIS S. LUTI

For Peru:

AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:

For Harlle Branch,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

For Uruguay:

HUGO V. DE PENA

For Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

DETAILED REGULATIONS FOR THE EXECUTION OF THE CONVENTION OF THE POSTAL UNION OF THE AMERICAS AND SPAIN

AGREED TO BY

CANADA, ARGENTINA, BOLIVIA, BRAZIL, COLOMBIA, COSTA RICA, CUBA, CHILE, DOMINICAN REPUBLIC, ECUADOR, SALVADOR, SPAIN, UNITED STATES OF AMERICA, GUATEMALA, HAYTI, HONDURAS, MEXICO, NICARAGUA, PANAMA, PARAGUAY, PERU, URUGUAY AND VENEZUELA.

The undersigned, acting for their respective Administrations, have agreed on the rules hereunder for ensuring the execution of the foregoing Convention:

ARTICLE 101

Exchange of Mails

1. The Administrations of the contracting countries may send reciprocally, through the intermediary of one or more of them, both open or closed mails in the manner provided by the Convention and Regulations of the Universal Postal Union.

2. Each intermediary Administration shall convey the aforesaid mails by the most rapid routes at its disposal for the dispatch of its own mails; said transportation shall be carried out either free of charge when the services used are controlled by the said Administration or by collecting, from the Administration of the country of origin, of the same rates it is obliged to pay when the services of other Administrations are required for the subsequent transmission to those to whom such charges are to be paid.

ARTICLE 102

Equivalents

The Administrations shall inform one another, through the intermediary of the International Bureau of the Postal Union of the Americas and Spain, of their domestic rates and the equivalents of said rates fixed in gold francs of the Universal Postal Union.

They shall enter into force on the first day of a month and, at the earliest, sixty days after due notification to the International Bureau.

ARTICLE 103

Make-up of Dispatches. Empty Bags

1. Dispatches of mail exchanged within the countries of the Postal Union of the Americas and Spain shall be made up as provided in the Detailed Regulations governing the Universal Postal Convention.

2. The empty mail bags which have been utilized by the contracting Administrations for the dispatch of mail shall be returned by the exchange offices of the countries of destination to those of the countries of origin in the manner prescribed by the said Regulations. The Administrations may, however, enter into an agreement for their utilization for the dispatch of their own mails, the apportionment of the cost of the aforesaid bags to be decided by similar agreement.

ARTICLE 104

Prepayment. "Postage Paid in Cash" Service. Insufficient Prepayment of Letters

1. The prepayment of mail exchanged among the contracting countries is governed by the provisions of the Universal Postal Convention.

2. In those countries of the Postal Union of the Americas and Spain where the "Postage Paid in Cash" service is or may be established for newspapers and periodicals, including publicity and advertisement organs, packages of same shall bear, on the cover, the distinct inscription "Franqueo Pagado" (Postage Paid).

The Administrations shall exchange, through the intermediary of the International Bureau of Montevideo, any information enabling the Exchange Offices to readily distinguish such articles from those not enjoying the said privilege.

3. The Administration of the country of origin shall affix the T-stamps to the obverse side of envelopes of letters insufficiently prepaid, also indicating, in gold francs, the amount of deficiency.

ARTICLE 105

Small Packets

1. The packing and wrapping of small parcels are governed by the provisions applying to samples.

In addition, the name and address of the sender shall appear on the outside.

2. An open invoice, reduced to its essential features, or a copy of the label on the packet, with the address of the sender, may be enclosed.

3. The packets, whether accompanied by a customs declaration or not, shall bear the green tag corresponding to Form C. I, as provided in the Detailed Regulations of the Universal Postal Convention.

ARTICLE 106

Diplomatic Pouches

1. The weight and size of the diplomatic pouches exchanged between the Departments of External Affairs of the various countries of the Postal Union of the Americas and Spain and their diplomatic representatives in other countries, as provided by Article 13 of the Convention, shall be agreed upon by the parties concerned, but the weight shall not exceed 30 kilograms.

2. The said Departments of External Affairs and the diplomatic representatives shall deliver the pouches to the post offices and shall be handed receipts therefor; the same formality shall be observed by the post offices in delivery of pouches to the addressees.

3. The aforesaid pouches shall be provided with safety locks or padlocks as appropriate to the importance of such dispatches.

4. The Administration of the country of origin shall forward the diplomatic pouches to the Administration of the country of destination by the same routes used for its own mail, said dispatch being announced by means of a note on the letter-bill accompanying it.

5. In the absence of agreements to the contrary, diplomatic pouches shall not be carried free of postage by air mail.

ARTICLE 107

Diplomatic and Consular Mail

Diplomatic and consular mail shall bear the name of the dispatching embassy, legation or consulate and the distinct inscription beneath: "Diplomatic Mail" or "Consular Mail," in addition to the words "Postage Free."

ARTICLE 108

Transit Statistics

In view of the gratuity of transit provided by Article 3 of the Convention, the Administrations of the contracting countries are not required to keep statistical records of transit charges in connection with dispatches containing Spanish-American mail matter exclusively, when such dispatches are carried without the intermediary of countries or services outside the Postal Union of the Americas and Spain.

ARTICLE 109

Organization of the International Bureau

1. The Director of the International Bureau shall be appointed by the Government of Uruguay upon the recommendation of the Post Office Department of that country and shall receive a monthly salary of 500 Uruguayan pesos.

The Secretary, the Chief Translator and the other members of the staff shall be appointed by the Post Office Department of Uruguay upon the recommendation of the Director of the International Bureau; the monthly salaries of the first-named two officers shall be 250 and 150 Uruguayan pesos respectively.

The members of the staff may be removed from office solely through the intervention of the Post Office Department of Uruguay, such removal to be governed by the regulations which apply to the permanent staff of the said Department.

2. The Director of the International Bureau shall attend the Congresses and Conferences of the Postal Union of the Americas and Spain, as prescribed by Articles 23 and 30 of the Convention; he shall be present at the meetings and may participate in the discussions, but shall have no vote.

3. The official language of the International Bureau is Spanish. The countries, however, whose language is not Spanish, may use their own language in their relations with the said Bureau.

ARTICLE 110

Retirement and Pensions

1. The pensions of the staff of the International Bureau of Montevideo shall be paid exclusively from a fund set aside for that purpose by the said Bureau from the contributions of all the countries of the Union. The conditions of payment and the amounts of said pensions are similar to those provided by law in Uruguay and applied to the civil servants of that country.

2. The Government of Uruguay, acting through the intermediary of the International Bureau, shall acquaint the Administrations of the countries of the Union with the text of the regulations enacted.

ARTICLE 111

Accounts and Expenses of the International Bureau

1. The annual expenditure of the International Bureau shall not exceed the sum of 13,000 Uruguayan pesos, the said amount to include the establishment of a retirement fund for the Bureau's staff.

2. For the purpose of apportioning the annual and supplementary expenditure of the Bureau, the contracting countries are divided into three groups, each contributing to the payment thereof in the following proportion: group 1, eight units; group 2, four units; group 3, two units.

The countries are classified as follows: Group 1—Argentina, Brazil, Canada, Spain, the United States of America and Uruguay; Group 2—Colombia, Cuba, Chile, Mexico and Peru; Group 3—Bolivia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay and Venezuela.

3. The Post Office Department of Uruguay shall draw up annual statements as provided by Article 23 of the Convention, and the contracting Administrations shall reimburse the said Department the amounts thus advanced.

4. Except in the case of an agreement to the contrary, the International Bureau shall settle the accounts covering services exchanged between one contracting country and another by following the procedure established by the Universal Postal Convention.

5. While Uruguayan currency remains depreciated, the Post Office Department of Uruguay shall increase by 30 per cent the salaries provided by Article 109.

ARTICLE 112

Information Service. Requests for Changes and Amendments

The International Bureau shall always be at the service of the contracting parties for the purpose of supplying them with any information they may request on matters concerning the Spanish-American Postal Service, of circulating requests for the amendment or interpretation of the regulations of the Postal Union of the Americas and Spain and of advising the contracting parties of the results in each case.

ARTICLE 113

Publications

1. The International Bureau of the Postal Union of the Americas and Spain shall issue a special circular every time an Administration requests the immediate publication of any change introduced in its service and shall forward, gratis, to each contracting party and to the International Bureau at Berne, all documents published; the number of copies supplied each Administration shall correspond to the number of units in its contribution.

The Administrations may obtain, at cost, additional copies of documents.

2. The International Bureau shall acquaint the contracting countries with the proposals it receives, in accordance with the provisions of Article 28 of the Convention. To that end, each country of the Postal Union of the Americas and Spain shall forward promptly, through the intermediary of the said Bureau, as provided for in the Convention, all proposals to be submitted to the Universal Congresses, so that all such proposals may be given the unanimous support of the said countries.

ARTICLE 114

Documents and Reports to be Transmitted to the International Bureau

1. The International Bureau shall serve as an intermediary for the transmission of regular and general information concerning the Administrations of the contracting countries exclusively.

The aforesaid Administrations shall forward the following documents and reports, regularly and promptly, to the International Bureau:

- (a) postal legislation and subsequent amendments;
- (b) the Postal Guide, each time it is published;
- (c) maps and guides of the postal routes utilized in their domestic and international services;
- (d) information concerning the most rapid land and sea routes which may be utilized for the conveyance of mail;

- (e) postal statistics covering traffic with the other Spanish-American countries;
 - (f) the text of proposals they submit for the consideration of the Universal Postal Congresses;
 - (g) all data concerning the Spanish-American Postal Services whenever new provisions are enacted;
 - (h) all information requested by the International Bureau for inclusion in the publications, reports, etc., coming within the sphere of the said Bureau, in such manner as to enable the latter to fulfil its task with as little delay as possible;
 - (i) a table giving in detail all the maritime services coming under the jurisdiction of the countries of the Postal Union of the Americas and Spain which may be utilized, free of charge, by the other countries for the conveyance of their mails.
2. Any further changes shall be notified without delay.

ARTICLE 115

Introduction of Amendments between Congresses

In the interval between Congresses the Administrations have the right to formulate proposals concerning these regulations, following the procedure established by the Universal Postal Convention.

In order to become binding, the proposals must obtain two-thirds of the votes cast.

ARTICLE 116

Application of the Universal Postal Convention and of Domestic Legislation

1. All matters pertaining to the exchange of mail between one and another of the contracting parties which are not provided for in these Regulations, shall be subject to the provisions of the Regulations of the existing Universal Postal Convention.

2. Likewise, the domestic legislation of the respective countries shall apply in all cases not covered by either of the two sets of Regulations.

ARTICLE 117

Coming into Force and Duration of the Regulations

These Regulations shall come into force on the same date as the Convention to which they relate and shall remain in force for the same length of time.

Done at Panama in the Republic of Panama on the 22nd day of December, 1936.

For Argentina:

LUIS S. LUTI

For Canada:

PETER T. COOLICAN
F. E. JOLLIFFE

For Bolivia:

JORGE E. BOYD

For Colombia:

ALFONSO PALACIO RUDAS

For Brazil:

LEONIDAS DE SIQUEIRA
MENESSES
JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:

For HARLEE BRANCH,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO
BROWNE

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Paraguay:

LUIS S. LUTI

For Peru:

AUGUSTO S. SALAZAR
ERNESTO CÁCERES B.

For Uruguay:

HUGO V. DE PENA

For Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

PROVISIONS GOVERNING THE CONVEYANCE OF MAIL BY AIR

The High Contracting Parties agree to adopt the following provisions regarding the conveyance of mail by air:

I

Classes of Mail Accepted for Conveyance by Air Mail

1. All articles enumerated in Article 4 of the Convention shall be accepted for conveyance by air. The exchange of small packets and insured articles shall, however, be limited to those countries which have agreed to operate such services.
2. The aforesaid articles may be registered.

II

Freedom of Transit and Routing of Air Mail

1. All domestic or international air lines operated under the direct or indirect control of an Administration and over which mail is carried, shall be available to the other Administrations, on the basis of uniform rates and general conditions applicable to all those Administrations which use these services without sharing in the operating expenses.

2. The contracting parties agree to convey, by the most rapid air routes used for their own mail, all mail reaching them from any other Administration and destined to another country of the Postal Union of the Americas and Spain or of the Universal Postal Union.

They agree, furthermore, to adopt all necessary means to extend the most favourable treatment to the handling and routing of air mail.

III

Responsibility

The contracting parties shall assume, in regard to articles forwarded by air mail, the same responsibility established for articles conveyed by ordinary means of transportation.

IV

Allocation of Air Mail Surcharges

Each Administration shall retain the whole of the air mail surcharges it collects.

V

Maximum Postage Rates

The postage rates for air mail within the Postal Union of the Americas and Spain shall not exceed the actual cost of air mail transportation to the country of origin plus the rates applying to other means of transportation in the latter's domestic service; the said rates may be rounded to multiples of five where necessary.

VI

Establishment of Rates. Unit of Weight

1. The unit of weight forming the basis of air mail rates for all the countries of the Postal Union of the Americas and Spain is 5 grams or fraction thereof for letters, letter-cards and post-cards.

2. Countries not using the decimal system may, however, adopt the nearest equivalent to 5 grams, in conformity with the system of weight used in their domestic mail service.

VII

Special Marking of Dispatches

Articles conveyed by air mail shall be marked with a blue label or stamp impression bearing the words "POR AVION," "BY AIR MAIL," or "PAR AVION."

The bags or parcels containing air mail shall also bear blue labels and shall be made, wherever possible, of material of the same colour.

VIII

Prepayment Symbols

1. The postage on air mail may be symbolized by means of handwritten figures representing the amount of postage paid in the currency of the country of origin, or of a label on which the said amount has been printed by means of a stamping machine.

2. The prepayment of the air mail surcharge on official mail dealing with postal matters exclusively and exchanged between the countries of the Postal Union of the Americas and Spain, may be symbolized by means of a handwritten note or a stamped impression showing the surcharge to which each item is subject.

The same privilege shall be extended to official mail dealing exclusively with telegraphic matters and exchanged between the Administrations of the countries of the Postal Union of the Americas and Spain; this applies to the countries whose telegraphic service is operated by the Government.

The said note shall be affixed on the face of the letter and must be certified to by an impression of the date-stamp of the post office of origin.

IX

Insufficient Prepayment

Insufficiently prepaid articles shall not be forwarded unless the air mail surcharge has been paid in full.

X

Franking Privilege for Official Mail. Exemptions from Postage

The franking privilege accorded contractually by the transportation concerns to official mail shall be uniform for all the Administrations; the latter shall consequently not impose any charge on mail exempt from postage in virtue of the franking privilege extended by the transportation concerns, on the basis of existing agreements.

The aforesaid privileges shall always be granted in all cases where the agreements of the respective countries permit it.

XI

Preferential Treatment Extended in the Case of Unforeseen Circumstances

International air mail is entitled to preferential treatment during conveyance and delivery in the country of destination in cases where, due to unforeseen or uncontrollable circumstances, it cannot be conveyed to the said country by the aircraft on which it normally would be carried.

XII

Customs Clearance

International dispatches carried by air shall enjoy preferential treatment in regard to customs regulations and other legal requirements, relating to importation and exportation, to be complied with in the exchange offices.

XIII

Delivery of Air Mail

Air mail shall be delivered promptly to the addressees, said mail to be included in the first delivery which follows its arrival at the office of delivery.

XIV

Acknowledgment of Receipt

1. Registered air mail, for which an acknowledgment of receipt has been requested at the time of mailing, shall bear on the address side the words "ACUSE DE RECIBO" (Acknowledgment of Receipt) or shall be stamped with the letters "A.R." by the office of origin.

2. When registered air mail, bearing the stamped impression "A.R." on the address side, is received at the office of destination, the latter shall forward the acknowledgment card before submitting the said mail to the usual treatment.

3. The acknowledgment of receipt shall be forwarded to the sender through the ordinary channels. The sender or the recipient may, however, request that the acknowledgment be forwarded by air mail, in which case he shall pay the proper surcharge, which shall be retained by the country concerned, without any special account being kept in that connection.

XV

Transportation Costs

1. The intermediate Administration and the Administration of the country of destination participating in the air mail service shall be entitled to payment for transportation on the basis of the gross weight of the dispatches.

2. The transportation rates for air mail shall be fixed, per kilogram, by the Administration having jurisdiction over the services used; they shall be applied proportionately to fractions of one kilogram and subject to previous agreement with the transportation companies.

XVI

Cost of Transportation of Air Mail in Transit

1. In regard to international air mail handled in transit by the countries of the Postal Union of the Americas and Spain, the intermediate Administrations shall debit the Administrations of the countries of origin, solely in the case of closed dispatches, with the actual cost of transportation on the air lines over which they are reforwarded.

2. If, by reason of particular circumstances, due to the high cost of transportation, one country or another is unable to accept this principle, agreements concerning terms of payment may be concluded between the Administrations concerned without affecting other agreements in force until the date of expiration thereof.

3. Any Administration forwarding air mail in open transit to any other country shall pay the cost of transportation in full, the said cost to be computed for the whole flight. In order to fix the rates of transportation, the net weight of these dispatches shall be increased by 10 per cent.

4. Each country shall supply the names of the offices effecting the transit of closed or open dispatches. Where such dispatches are delivered at an office of the intermediate country not appearing on the list of transfer offices for open or closed dispatches, the latter shall be subject to the international rates of transportation applying to the country of transit, over and above the rates of reshipment to the country of destination or to another intermediate country.

XVII

Payment for Using Domestic Services

The Administrations operating air services within their own territory on regular lines may collect from the country of origin a uniform sum for dispatches conveyed over their lines.

XVIII

Accounting. Settlement of Accounts

1. The statements of accounts covering the transportation of air mail shall be forwarded by the creditor to the debtor Administration monthly or quarterly, except where there is an agreement to the contrary.

2. The balances in gold francs or in dollars, as the case may be, shall be paid by the debtor to the creditor Administration in the manner specified by the latter, not later than three months from the date of acceptance of the account.

3. The Administration delivering to an air transportation company bags to be carried successively over various air services, may pay directly to the company the cost of transportation for the whole of the flight, provided this is satisfactory to the Administration concerned.

XIX

Exchange Offices

All the offices established at the regular air mail stops shall be considered as exchange offices in the international air mail service of the Americas and Spain, and shall be authorized to make up and receive direct dispatches.

To this end the signatory countries shall notify one another, by the most rapid means, of the stops established within their respective territories.

XX

Transshipments

The postal authorities of each country may intervene at the junction of air lines in regard to the transshipment of postal dispatches.

XXI

Restrictions Applying to Aircraft in Transit

The postal Administrations of the contracting countries shall obtain from their respective governments an assurance that the restrictions imposed on aircraft in transit shall never be so stringent as to constitute an impediment to the receipt of the mail they carry, either intended for the same country or for reforwarding beyond its territory by the routes agreed upon by the parties concerned.

XXII

Directions Applying to Distribution

The Administrations comprised in the air network of the Postal Union of the Americas and Spain shall forward to all the countries with which they exchange mail, full and detailed instructions in regard to each stop located on their respective territories; these points shall be listed alphabetically, in order to ensure an accurate make-up of the respective dispatches and to prevent delays that may be caused by errors in distribution.

XXIII

Direct Notification by the Administrations

Any important change in the itinerary and stops along the international lines, which may affect the delivery and receipt of air mail, shall be notified to the Administrations concerned at least 30 days in advance by the Administrations having either direct or indirect control over the transportation company operating the service.

XXIV

Communications to be Addressed to the International Bureau

1. The Administrations shall supply the International Bureau of Montevideo with the following data:

- (a) surcharge rates according to the equivalent in their own currency, compared with the gold franc of the Universal Postal Convention; the units of weight they have adopted;
 - (b) a list of air lines either directly or indirectly dependent upon the respective Administrations which may be utilized for the transportation of mail;
 - (c) the rates payable on the basis of contracts now in force or which may be entered into hereafter with the transportation companies;
 - (d) the manner in which they wish payment of air transportation accounts to be settled;
 - (e) complete timetables and itineraries of their domestic and international network;
 - (f) all data required for the drawing up of an air mail map by the International Bureau of Montevideo, on which shall be indicated the total mileage of the International network of the Postal Union of the Americas and Spain; and
 - (g) the text of the agreements concluded for the transportation of air mail.
- The Bureau shall be notified of any changes without delay.

2. The International Bureau of Montevideo shall supply this information to the other Administrations of the Union.

XXV

Aerial Parcel Post

1. Subject to agreements among the Administrations concerned, the countries of the Postal Union of the Americas and Spain may exchange parcels by air mail; the maximum weight and volume of each dispatch shall not exceed 3 kilograms and 8 cubic decimeters respectively.

2. This service shall be known as "ENCOMIENDAS AEROPOSTALES" (Aerial Parcel Post); it shall be subject to the reduced postage rates corresponding to the express rates of the operating companies, plus the rates and fees charged by each Administration, without, however, exceeding those applicable to the latter's domestic service for similar dispatches conveyed over ordinary routes.

3. The aerial parcel post service shall be limited to periodicals and to parcels containing merchandise; mail either in open or closed dispatches shall not be accepted by this service.

4. The unit of weight in the aerial parcel post service shall be 500 grams or fraction thereof.

XXVI

Statistics

The Administrations utilizing the air routes for the exchange of parcels shall supply the International Bureau of Montevideo, semi-annually, with statistical data concerning this traffic.

XXVII

Contracts

Contracts, for the conveyance of air mail, concluded with a company, shall not contain preferential clauses restricting free competition in aerial transport.

XXVIII

Previous Concessions and Contracts

The Administrations of the Postal Union of the Americas and Spain undertake to amend all existing concessions to or contracts with private transportation companies, subject to renewal, in such manner as to conform to the present provisions; this also applies to future contracts.

XXIX

Application of the Provisions of the Universal Postal Convention

The general provisions covering transportation of air mail and annexed to the Universal Postal Convention shall apply in all cases not expressly provided for in the preceding Articles.

XXX

Entry into Force and Duration of the Provisions Adopted

1. These provisions shall come into force on the 1st day of October, 1937, and shall remain in force for an indefinite period, each contracting party reserving the right to repudiate them by notice given, one year in advance, by its own government to that of the Republic of Uruguay.

2. The ratifications shall be filed in the City of Panama with the least delay possible. The ratifications shall be recorded and the Government of Panama shall forward a copy of the said record to the governments of the other signatory countries through diplomatic channels.

3. On the date on which these provisions come into force, those concerning the transportation of air mail approved in Madrid on the 10th day of November, 1931, shall be repealed.

4. The non-ratification of these provisions by one or more of the contracting parties shall not affect their validity for the countries which have ratified them.

5. The contracting parties may ratify this Convention provisionally by correspondence, accordingly advising the Administrations concerned through the intermediary of the International Bureau, without prejudice to the confirmation through diplomatic channels, in accordance with legislation of each country and subject to the approval of their legislature.

In faith whereof the Plenipotentiaries of the above-mentioned countries have signed this Agreement at Panama, in the Republic of Panama, on the 22nd day of December, 1936.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA

JULIO SÁNCHEZ PÉREZ

For Canada:

PETER T. COOLICAN

F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS

MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Ecuador:

VICTORIANO ENDARA A.

VÍCTOR M. NARANJO

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ

JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO

BROWNE

For Panama:

JOSÉ E. ARJONA

JUAN B. CHEVALIER

JUAN BRIN

CARLOS ORTIZ R.

TOMÁS H. JÁCOME

MANUEL DE J. QUIJANO

ANGELO FERRARI

For Paraguay:

LUIS S. LUTI

For Peru:

ANGUSTO S. SALAZAR

ERNESTO CÁCERES B.

For Uruguay:

HUGO V. DE PENA

For Venezuela:

FRANCISCO VÉLEZ SALAS

CARLOS HARTMANN

PARCEL POST AGREEMENT

CONCLUDED BETWEEN

CANADA, ARGENTINA, BOLIVIA, BRAZIL, COLOMBIA, COSTA RICA, CUBA, CHILE, THE DOMINICAN REPUBLIC, ECUADOR, EL SALVADOR, SPAIN, THE UNITED STATES OF AMERICA, GUATEMALA, HAYTI, HONDURAS, MEXICO, NICARAGUA, PANAMA, PARAGUAY, PERU, URUGUAY AND VENEZUELA.

The undersigned, Plenipotentiaries of the Governments of the above-named countries, agree, by virtue of the provisions of Article 5 of the Universal Postal Convention and subject to ratification, to establish the Parcel Post Service in accordance with the provisions hereunder:—

ARTICLE 1

Object of the Agreement

1. The terms “Ecomienda Postal,” “Paquete Postal” or “Bulto Postal” apply to packets exchanged within the Parcel Post Services of the above-named countries.

2. The sender of a parcel post packet may have the latter registered upon payment, in addition to postage, of the registration fee fixed by the country of origin.

3. Packets may be forwarded either insured or cash on delivery, if the parties concerned have agreed to provide these services in their reciprocal relations.

4. Such parcels must be properly packed and fastened.

ARTICLE 2

Transit

1. Freedom of transit is guaranteed throughout the entire territory of each contracting country. The various Administrations may consequently use the intermediary of one or more countries for the reciprocal exchange of parcels.

2. Parcels shall be forwarded in closed dispatches, or in open dispatches in the case of agreement to that effect by the Administrations concerned, over the most rapid land or sea routes utilized for their own dispatches by the countries participating in the transportation.

3. The dispatching Administrations shall forward a copy of the way bills to each of the intermediary Administrations in the case of transit in closed dispatches.

ARTICLE 3

Weight and Dimensions

1. The maximum weight of a parcel shall be 20 kilograms. It may, however, be limited to 10 kilograms by the Administrations of the countries whose domestic transportation facilities make this reduction necessary, subject, however, to notification to the other signatories through the intermediary of the International Bureau of Montevideo.

2. Parcel post packets shall be divided into the following weight classes:
 - up to 1 kilogram;
 - from 1 to 5 kilograms;
 - from over 5 to 10 kilograms;
 - from over 10 to 15 kilograms;
 - from over 15 to 20 kilograms.

3. The maximum dimensions of the parcels shall be governed by the Agreement in force in the Universal Postal Union; the contracting parties may, however, accept parcels of different dimensions subject to the previous consent of the intermediate countries.

4. Bulky parcels, i.e., parcels measuring over 1.05 meters in length, width or depth, shall be accepted only where agreements to that effect have been concluded between the parties concerned.

ARTICLE 4

Postage Rates and Charges

1. The postage applicable to parcels exchanged as herein provided shall not exceed the total of the rates of origin, transit and destination. Should the case arise, however, the maritime rates provided by the Universal Postal Convention governing the exchange of parcels, shall be added to that amount.

2. The rates of origin, transit and destination, are fixed in gold francs, as hereunder, or in the equivalent thereof:

- 25 centimes for parcels weighing up to 1 kilogram;
- 50 centimes for parcels weighing from over 1 to 5 kilograms;
- 100 centimes for parcels weighing from over 5 to 10 kilograms;
- 150 centimes for parcels weighing from over 10 to 15 kilograms;
- 200 centimes for parcels weighing from over 15 to 20 kilograms;

3. The contracting Administrations have the privilege, however, of increasing these rates up to double their amount.

4. Any Administration which, in the Universal Union is authorized to increase the rates mentioned in the two preceding Sections, may also apply this authorization to the Spanish-American service.

5. Notwithstanding the provisions of the foregoing Sections, none of the contracting Administrations shall be obliged to fix a rate lower than that established for this class of article in its domestic service.

6. The Administration of origin shall credit each of the intervening Administrations, including that of the country of destination, with the corresponding rates, in accordance with the provisions of the foregoing Sections.

7. The International Bureau shall issue and distribute a table covering land transit, exit and entry rates of all Administrations, and shall keep this information up to date by means of supplements.

ARTICLE 5

Customs Clearance, Delivery, Storage and Other Charges

1. The Administrations of destination may collect the following items from the addressees of parcels:

- (a) a fee not exceeding 50 gold centimes or equivalent thereof for customs requirements;
- (b) a fee not exceeding 50 gold centimes or equivalent thereof for the transportation and delivery of each parcel to the addressee's residence;

when parcels are not delivered to the addressee's residence, the latter shall be advised of their arrival, in which case the Administrations whose domestic regulations so require, shall collect a special fee for the delivery of such notice. This fee shall not exceed the usual domestic rate of postage on an ordinary letter.

- (c) a daily storage charge, not exceeding the rate prescribed by the postal legislation of each country, charged from the time therein provided; the amount to be collected, however, shall in no case exceed 5 gold francs or equivalent thereof;
- (d) the customs duties and all other non-postal charges prescribed by domestic legislation;
- (e) the amount corresponding to the consular fee, in cases where the latter has not been prepaid by the sender;
- (f) a repacking fee, not exceeding 30 centimes, as provided for by the Universal Postal Convention. This fee is payable by the addressee or the sender, as the case may be.

2. Parcels addressed to consuls or vice-consuls acting as such shall be exempt from delivery charges when the said parcels contain articles which are not dutiable.

ARTICLE 6

Cancellation of Customs Duties

The contracting Administrations undertake to propose, as soon as possible, to the competent authorities of their respective countries, the cancellation of Customs duties, not only on parcels returned to the country of origin but also on parcels destroyed for any reason whatever or reforwarded to a third country.

The same procedure shall apply in regard to parcels which have been lost, rifled or damaged in the service of any Administration.

ARTICLE 7

Prohibition Against Other Charges

Parcel post packets shall not be subject to any other postal charges than those herein provided for.

Those Administrations, however, which have concluded agreements for the acceptance of cash-on-delivery or insured parcels, are authorized to collect the special charges applicable to this class of article.

ARTICLE 8

Responsibility

1. The Administrations shall be responsible for the loss, rifling or damage of ordinary or registered parcels.

The sender shall be entitled in such cases to indemnity covering the actual extent of the loss, rifling or damage. Sums paid in indemnity shall, however, not exceed the following:

- 10 francs gold for a parcel weighing up to 1 kilogram;
- 25 francs gold for a parcel weighing from over 1 to 5 kilograms;
- 40 francs gold for a parcel weighing from over 5 to 10 kilograms;
- 55 francs gold for a parcel weighing from over 10 to 15 kilograms;
- 70 francs gold for a parcel weighing from over 15 to 20 kilograms.

2. The payment of compensation shall be based on the current price of a similar commodity in the place where and at the time when the parcel has been accepted for transportation.

3. In regard to insured parcels exchanged between those Administrations which agree to provide this type of service, the compensation shall not exceed the insured value.

4. In cases of damage to parcels, the offices of destination shall, immediately on arrival thereof, record the condition in which they have been received, particular attention being paid to the condition in which the seals and wrappers or containers have been found; the latter shall be forwarded to the office of origin accompanied by a copy of the record and the corresponding bulletin of verification, in addition to the vouchers.

The addressees shall be notified of such irregularities only in cases where this is prescribed by the domestic legislation of the country.

The same procedure shall be followed by the offices of origin in the case of returned parcels.

ARTICLE 9

Parcels Awaiting Delivery

1. The period during which parcels must be held at the disposal of the interested parties at the offices of destination is fixed at thirty days. This period may be increased to ninety days by agreement between the Administrations concerned, it being understood that in every case the return will be effected without consulting the sender.

2. By virtue of the above provisions the senders are obliged to mention on the dispatch note or on the Customs declaration what disposal they wish to be made of their parcels in case of non-delivery, they having the choice of three methods of disposal, as follows:

- (a) return of the parcel to the country of origin;
- (b) delivery of the parcel to another addressee;
- (c) abandonment of the parcel.

ARTICLE 10

Fraudulent Declarations

1. Where it has been proved that senders of parcels, acting alone or in agreement with the addressees, have made false statements as to the quality, weight or measure of the contents, or in any other way have attempted fraudulent practices against the fiscal interests of the country of destination by evading the payment of Customs duties, and, for that purpose, concealing or declaring articles in such a way as to reveal an evident intention of eluding the payment of or reducing the amount of said duties, the Administration concerned may dispose of these articles in accordance with its domestic legislation without either the sender or the addressee being entitled to delivery, return or compensation.

2. Any Administration confiscating a parcel as herein provided, shall notify the addressee and the Administration of origin.

ARTICLE 11

Parcels for Second Addressees

Senders of parcels addressed in care of banks or other institutions, for delivery to second addressees, shall enter on the tags, labels or wrappers thereof the full name and address of the persons for whom such parcels are intended. The second addressee shall, however, be informed of the arrival

of the parcel and the fee provided by Article 5 may be collected, but he shall not be entitled to delivery of the parcel without the written authorization of the first addressee or of the sender. The latter shall, in that case, arrange for delivery through the intermediary of the Administration of the country of origin.

ARTICLE 12

Abandoned or Returned Parcels

1. Abandoned or returned parcels which cannot be delivered to the senders shall remain at the disposal of the Administrations of the countries of destination or origin, as the case may be; after the expiration of ninety days the latter may treat such parcels in accordance with the provisions of their domestic legislation.

2. The Administrations of destination may immediately return parcels that have been refused.

3. The Administrations may collect the following amounts for each parcel returned to origin as undeliverable:

- (a) a sum equivalent to the terminal tax;
- (b) the maritime transit charges prescribed by the provisions of Section 1 of Article 4;
- (c) the charges due on the parcels in the country of destination for reconsignment;
- (d) the fee prescribed by the provisions of paragraph a) of Article 5;
- (e) storage charges prescribed by paragraph c) of Article 5; and
- (f) repacking fees.

ARTICLE 13

Proposals Submitted Between Meetings

This Agreement may be amended during the period elapsing between Congresses by following the procedure established by the Universal Postal Convention.

In order to become binding, the proposals must obtain:

- (a) a unanimous vote, if they involve the addition of new provisions or amendments to this Article and to the following Articles: 1, 2, 3, 4, 5, 7, 8 and 9;
- (b) two-thirds of the votes, if they involve the amendment to other provisions.

ARTICLE 14

Equivalents

1. Each contracting party shall fix the legal equivalent of its currency in relation to the gold franc of the Universal Postal Convention.

ARTICLE 15

Matters not Provided For

1. All matters not provided for in this Agreement shall be governed by the provisions of the Universal Postal Convention and its Detailed Regulations.

2. The contracting parties may, however, agree upon other details for the operation of the service.

3. The right of the contracting parties to maintain the regulative procedure for the proper execution of the Conventions concluded among themselves is recognized, provided that such regulative measures are not contrary to the provisions of this Agreement.

ARTICLE 16

Entry into Force and Duration of the Agreement

1. This Agreement shall come into force on the 1st day of October, 1937, and shall remain in force for an indefinite period, each contracting party reserving the right to repudiate it by notice given one year in advance by its own government to that of the Republic of Uruguay.

2. The ratifications shall be filed in the City of Panama as soon as possible. The ratifications shall be recorded and the Government of Panama shall forward a copy of the said record to the governments of the other signatory countries through diplomatic channels.

3. The provisions governing the Parcel Post Service sanctioned by the Madrid Convention on the 10th day of November, 1931, are abrogated from the date on which the present Agreement becomes effective.

4. The non-ratification of this Agreement by one or more of the contracting parties shall not affect its validity for the countries which have ratified it.

5. The contracting parties may ratify this Agreement provisionally, by correspondence, accordingly advising the Administrations concerned, through the intermediary of the International Bureau, without prejudice to its confirmation through diplomatic channels, in accordance with the legislation of each country and subject to the approval of their legislature.

In faith whereof the Plenipotentiaries of the above-named countries have signed this Agreement at Panama on the 22nd day of December, 1936.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDES DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Canada:

PETED T. COOLICAN
F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:

For HARLLEE BRANCH,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTAMIRANO

BROWNE

For Panama:

JOSÉ E. ARJONA

JUAN B. CHEVALIER

JUAN BRIN

CARLOS ORTIZ R.

TOMÁS H. JÁCOME

MANUEL DE J. QUIJANO

ANGELO FERRARI

For Paraguay:

LUIS S. LUTI

For Peru:

AUGUSTO S. SALAZAR

ERNESTO CACERES B.

For Uruguay:

HUGO V. DE PENA

For Venezuela:

FRANCISCO VÉLEZ SALAS

CARLOS HARTMANN

FINAL PROTOCOL TO THE PARCEL POST AGREEMENT

At the moment of signing the Parcel Post Agreement concluded by the IVth Spanish-American Postal Congress, the undersigned Plenipotentiaries have agreed as follows:—

The Venezuelan delegation states that the Post Office Department of Venezuela cannot accept in its service for the time being parcels weighing over five kilograms.

Done at Panama on the 22nd day of December, 1936.

For Argentina:

LUIS S. LUTI

For Bolivia:

JORGE E. BOYD

For Brazil:

LEONIDAS DE SIQUEIRA
MENESES

JAYME DIAS FRANÇA
JULIO SÁNCHEZ PÉREZ

For Canada:

PETER T. COOLICAN
F. E. JOLLIFFE

For Colombia:

ALFONSO PALACIO RUDAS

For Costa Rica:

ENRIQUE FONSECA ZÚÑIGA

For Cuba:

CARLOS A. VASSEUR

For Chile:

SILVERIO BRAÑAS
MIGUEL A. PARRA

For the Dominican Republic:

MANUEL DE J. QUIJANO

For Ecuador:

VICTORIANO ENDARA A.
VÍCTOR M. NARANJO

For Salvador:

JOSÉ E. ARJONA

For Spain:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For the United States of America:

For HARLLEE BRANCH,
JOHN E. LAMIELL
JOHN E. LAMIELL
STEWART M. WEBER

For Guatemala:

TOMÁS ARIAS

For Hayti:

ANDRÉ FAUBERT

For Honduras:

ALBERTO ZÚÑIGA

For Mexico:

JOSÉ V. CHÁVEZ
JOSÉ ROBERTO MONTERO

For Nicaragua:

ADOLFO ALTEMIRANO
BROWNE

For Panama:

JOSÉ E. ARJONA
JUAN B. CHEVALIER
JUAN BRIN
CARLOS ORTIZ R.
TOMÁS H. JÁCOME
MANUEL DE J. QUIJANO
ANGELO FERRARI

For Paraguay:

LUIS S. LUTI

For Peru:

AUGUSTO S. SALAZAR
ERNESTO CACERES B.

For Uruguay:

HUGO V. DE PENA

For Venezuela:

FRANCISCO VÉLEZ SALAS
CARLOS HARTMANN

ROY. DOC
Can
Misc
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CANADA
—
TREATY SERIES, 1937
No. 17

EXCHANGE OF NOTES
(September 28, 1937)

CONSTITUTING A

COMMERCIAL ARRANGEMENT

BETWEEN

CANADA

AND

GUATEMALA



—
IN FORCE OCTOBER 14, 1937



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

Price, 25 cents.

EXCHANGE OF NOTES

(September 28, 1937)

CONSTITUTING A

COMMERCIAL ARRANGEMENT

BETWEEN

CANADA

AND

GUATEMALA



OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1938

**EXCHANGE OF NOTES (SEPTEMBER 28, 1937) CONSTITUTING A
COMMERCIAL ARRANGEMENT BETWEEN CANADA AND
GUATEMALA**

*From the British Minister at Guatemala to the Minister for Foreign Affairs of
Guatemala*

BRITISH LEGATION, GUATEMALA

No. 67

28th September, 1937.

Monsieur le Ministre,

I have the honour to inform you that the Government of Canada is prepared, pending the coming into force of the Trade Agreement signed this day between Canada and Guatemala, to regulate the tariff relations between Canada and Guatemala, by the following provisions:

1. Articles the produce or manufacture of Guatemala shall not, on importation into Canada, be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

2. In order to secure the advantages aforesaid, such articles shall be conveyed without trans-shipment from Guatemala, or from a port of a country enjoying the benefits of the British Preferential or Intermediate Tariff, into a sea, lake or river port of Canada.

3. Articles the produce or manufacture of Canada shall not, on importation into Guatemala be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

4. The Tariff advantages set forth in paragraph three above do not extend to advantages now accorded by Guatemala to adjacent countries in order to facilitate frontier traffic, or to the advantages granted to another country in virtue of a customs union already concluded or which may come into existence.

It is understood that the present note and your reply No. 11680 will constitute an agreement between our two Governments which will enter into force on the 14th October of this year and will remain in force pending the coming into force of the Trade Agreement signed to-day between the two countries. The agreement to which this exchange of notes refers may, however, be terminated by either Government after thirty days' notice.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

J. H. S. BIRCH

Gov. Doc
Can
Misc
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CANADA

TREATY SERIES, 1937

No. 18

EXCHANGE OF NOTES

(November 2, 1937)

CONSTITUTING A

COMMERCIAL AGREEMENT

BETWEEN

CANADA

AND

SALVADOR



IN FORCE NOVEMBER 17, 1937



OTTAWA
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OTTAWA

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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1938

**EXCHANGE OF NOTES (NOVEMBER 2, 1937) CONSTITUTING A
COMMERCIAL AGREEMENT BETWEEN CANADA AND
SALVADOR**

*From the British Chargé d'Affaires a.i. at San Salvador to the Minister for
Foreign Affairs*

BRITISH LEGATION

No. 67

San Salvador, November 2, 1937.

Excellency,

I have the honour to inform Your Excellency that the Government of Canada is prepared, pending the conclusion of a Trade Agreement between Canada and El Salvador, negotiations for which it is hoped can be undertaken forthwith, to regulate the tariff relations between Canada and El Salvador by the following provisions:

1. Articles the produce or manufacture of El Salvador shall not, on importation into Canada, be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

2. In order to secure the advantages aforesaid, such articles shall be conveyed without transshipment from El Salvador, or from a port or a country enjoying the benefits of the British Preferential or Intermediate Tariff, into a sea, lake, or river port of Canada.

3. Articles the produce or manufacture of Canada shall not, on importation into El Salvador, be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

4. The advantages now accorded or which may hereafter be accorded by the Republic of El Salvador to the commerce of Costa Rica, Guatemala, Honduras, Nicaragua and Panama will be excepted from the operation of this agreement so long as such advantages are not accorded to any other country.

It is understood that the present note and Your Excellency's reply will constitute an agreement between the two Governments which will enter into force on the 17th November, 1937, and, if a Trade Agreement is not concluded before, will remain in force for one year to the 17th November, 1938, and thereafter will remain in force subject to termination by either Government at any time on giving four months' notice.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest regard and esteem.

A. J. HILL

*From the Minister for Foreign Affairs of Salvador to the British Chargé
d'Affaires a.i. at San Salvador*

Ministerio de Relaciones Exteriores
República de El Salvador C.A.
Sección del Protocolo
SP 01145

A 631—D. 1612

Palacio Nacional
San Salvador, noviembre 2 de 1937.

Honorable Señor:

Haciendo relación a correspondencia reciente, cruzada entre este Ministerio y la Legación a su digno cargo, sobre el establecimiento de un Acuerdo Comercial entre mi país y el Canadá, me es honroso manifestar a Vuestra Señoría que mi Gobierno acepta la concertación de dicho Acuerdo Comercial, ceñido a las siguientes bases:

- 1^a Los artículos producidos o manufacturados en El Salvador al importarse al Canadá, no estarán sujetos a derechos o cargas más elevados que los impuestos a artículos semejantes de producción o manufactura de cualquier otro país extranjero.
- 2^a Para asegurar estas ventajas, tales artículos serán conducidos sin transbordo de El Salvador o de un puerto o país que goce de los beneficios de la Tarifa Intermedia o Preferencial Británica, a un puerto de mar, lago o río del Canadá.
- 3^a Los artículos de producción o manufactura canadiense, a su importación a El Salvador, no estarán sujetos a derechos o cargas más elevados que los impuestos a artículos semejantes producidos o manufacturados por cualquier otro país extranjero.
- 4^a Las ventajas actualmente concedidas o que se concedan más tarde por la República de El Salvador al comercio de Costa Rica, Guatemala, Honduras, Nicaragua y Panamá quedan exceptuadas de los efectos de este convenio, con tal de que esas ventajas no se concedan a ningún otro país.

Se entiende, que esta Nota y la No. 67 de hoy de Vuestra Señoría constituirán un arreglo entre los dos Gobiernos, que tendrá vigencia desde el 17 de noviembre de 1937 y, si no se ajusta antes un Arreglo Comercial definitivo, seguirá surtiendo efectos durante un año hasta el 17 de noviembre de 1938 y, después de esa fecha continuará en vigor sujeto a terminación por cualquiera de los dos Gobiernos en cualquier tiempo, con un plazo de aviso de cuatro meses.

Válgome de esta nueva oportunidad para renovar a Vuestra Señoría las seguridades de mi elevada consideración y distinguido aprecio.

MIGUEL ANGEL ARAUJO

(Translation)

San Salvador, November 2, 1937.

Sir,

With reference to recent correspondence exchanged between this Ministry and the Legation in your charge about establishing a Commercial Agreement between my country and Canada, I have the honour to inform you that my Government accepts the conclusion of this Commercial Agreement, which is limited to the following provisions:

1st.—Articles the produce or manufacture of El Salvador shall not, on importation into Canada, be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

2nd.—In order to secure these advantages, such articles shall be conveyed without transshipment from El Salvador, or from a port or country enjoying the benefits of the Intermediate Tariff or British Preferential, into a sea, lake or river port of Canada.

3rd.—Articles the produce or manufacture of Canada shall not, on importation into El Salvador, be subjected to higher duties or charges than those levied on the like articles the produce or manufacture of any other foreign country.

4th.—The advantages now accorded or which may hereafter be accorded by the Republic of El Salvador to the commerce of Costa Rica, Guatemala, Honduras, Nicaragua and Panama will be excepted from the operation of this Agreement so long as these advantages are not accorded to any other country.

It is understood that the present Note and Your Note No. 67 of today will constitute an agreement between the two Governments which will enter into force on the 17th November, 1937, and, if a definite Trade Agreement is not concluded before, will remain in force for one year to the 17th November, 1938, and thereafter will remain in force subject to termination by either of the Governments at any time and on giving four months' notice.

I avail myself of this new opportunity to renew to You the assurance of my high consideration and distinguished esteem.

MIGUEL ANGEL ARAUJO

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CANADA
—
TREATY SERIES, 1937
No. 19

EXCHANGE OF NOTES
(December 3-28, 1937)

BETWEEN

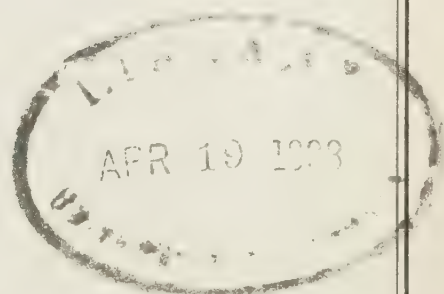
CANADA

AND THE

UNITED STATES

CONCERNING

THE RECIPROCAL RECOGNITION OF DULY
REGISTERED PATENT ATTORNEYS



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REGISTERED PATENT ATTORNEYS



OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

**EXCHANGE OF NOTES (DECEMBER 3/28, 1937), BETWEEN CANADA
AND THE UNITED STATES CONCERNING THE RECIPROCAL
RECOGNITION OF DULY REGISTERED PATENT ATTORNEYS**

*From the Canadian Minister at Washington to the Secretary of State of the
United States*

CANADIAN LEGATION

No. 241

WASHINGTON, December 3, 1937.

SIR,—I have the honour to advise you that as a result of an amendment to the Rules of practice of the Patent Office of Canada—which was adopted in 1933—attorneys who had previously been listed on the Canadian Patent Office Register were no longer permitted to practice before that Office. Subsequently there have been informal negotiations between the Commissioner of Patents of the United States and the Under-Secretary of State of Canada with a view to the conclusion of a reciprocal arrangement.

The negotiations have culminated in the decision of the Government of Canada to substitute for existing Rule 14 under the Patent Act a new Rule to become effective on January 1, 1938, which will read as follows:—

14. (1) The names of the following persons shall on request and payment of the prescribed fee of \$5 be entered on the Register of Attorneys who are permitted, subject to the qualifications and conditions prescribed by these Rules and Regulations, to practice before the Patent Office:

(a) Any barrister, solicitor or advocate on the roll of barristers, solicitors or advocates under the Laws of any of the Provinces of Canada;

(b) Notaries entitled to practice their profession under the Laws of the Province of Quebec;

(c) Any barrister, solicitor or attorney resident in any part of the British Commonwealth of Nations, who files proof to the satisfaction of the Commissioner that he is registered and in good standing before the Patent Office of his place of residence and possesses the qualifications required to practice before the said office;

(d) Any attorney resident in the United States of America, who files proof to the satisfaction of the Commissioner that he is registered and in good standing before the Patent Office of the United States of America and possesses the qualifications required to practice before the said office;

(e) The names of Canadian nationals residing in Canada entered on the Register of Attorneys on the date of approval of these rules shall be continued thereon. Any Canadian national resident in Canada and who is not a member of the bar of one of the Provinces or a Notary Public of the Province of Quebec, but who has had three years experience in patent work under the personal direction and supervision of a duly registered patent attorney, or who has served for three years in the examining corps of the Canadian Patent Office, and who shall file proof that he is of good moral character and of good repute and possessed of the necessary technical qualifications to enable him competently to prosecute applications before the Patent Office, may be entered on the register of Patent Attorneys with the approval of the Minister; provided however that attorneys who are not Canadian nationals may continue to practice with respect to pending applications.

(2) Each person residing outside Canada whose name is entered on the Register of Attorneys, shall state, in respect of each application or other proceeding filed by him in the Patent Office, the name and address of an attorney resident in Canada, who is associated with him in the

carriage of the application or other proceeding, and no applications or other proceedings by an attorney resident outside Canada shall be filed, entered or examined until an associate resident in Canada has been so named. The associate so named shall be a person qualified under (a), (b) or (e) of subsection (1) of this section and whose name is entered in the Register of Attorneys in the Patent Office. Notices, letters and other communications relating to the application or other proceeding shall be forwarded by the Office to the Canadian associate and shall be deemed, for the purposes of the Patent Act and of the Rules and Regulations, to have been communicated by the Office to the Attorney filing the application or other proceeding.

(3) The Commissioner of Patents, with the approval of the Minister, after giving notice and opportunity for a hearing, may suspend or exclude, either generally or in any particular case, from further practice before this office any person, agent or attorney shown to be incompetent or disreputable, or guilty of gross misconduct, or who refuses to comply with the rules and regulations, or who shall, with intent to defraud in any manner, deceive, or mislead any applicant or prospective applicant, or other person having immediate or prospective business before the Patent Office by word, circular, letter or by advertising, or who shall guarantee the successful prosecution of any application for patent or the procurement of any patent, or by word, circular, letter, or advertisement shall make any false promise or misleading representation. The reasons for any such suspension or exclusion shall be duly recorded, and the action of the Commissioner may be reviewed by the Minister. If the name of an attorney registered under (c) or (d) of subsection (1) of this section shall be removed from the list of those registered as entitled to practice before the Patent Office of the Dominion, colony, state or country in which he resides, his name shall be removed by the Commissioner from the Register of Attorneys permitted to practice before the Canadian Patent Office.

(4) All advertising matter of registered patent attorneys or other agents interested in the procuring or developing of patents used for the promotion of their business shall be submitted to the Commissioner before being issued, but such advertising matter shall not contain any matter from which, due to its arrangement or text, it may be inferred that the Commissioner vouches for the statements made therein or the ability or integrity of the advertiser. Any violation of this rule shall incur a penalty of suspension of practice before the Patent Office for one month or for such longer period as the Commissioner may determine.

It is the understanding of the Canadian Government that, in return for the adoption of this Rule, the Government of the United States will undertake that residents of Canada whose names are entered on the Register of Attorneys permitted to practice before the Patent Office of Canada will be accorded the right of registering in the Register of Attorneys permitted to practice before the United States Patent Office on a reciprocal basis; and that any amendment to the United States Patent Rules which may be necessary to give effect to this arrangement will be adopted. I should be grateful for your confirmation of this understanding.

I have the honour to be,
with the highest consideration,

Sir,

Your most obedient,
humble servant,

HERBERT M. MARLER

*From the Secretary of State of the United States to the Canadian Minister at
Washington*

DEPARTMENT OF STATE

WASHINGTON, December 28, 1937.

SIR,—I have the honour to refer to your Note No. 241 of December 3, 1937, in which you were good enough to set forth for the consideration of this Government the draft of a new rule which is to take the place of the existing Rule 14 under the Patent Act of Canada.

I have pleasure in informing you that, when the Canadian Patent Office adopts the rule set forth in your above-mentioned note, residents of Canada whose names are entered on the register of attorneys permitted to practice before the Patent Office of Canada will be accorded the right of registering in the register of attorneys permitted to practice before the United States Patent Office under the rules of that Office. No further amendment of these rules will be necessary.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:

HUGH R. WILSON

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